

1.1 ..... moves to amend H.F. No. 2810 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 MINNESOTA STADIUM AUTHORITY

1.5 Section 1. Minnesota Statutes 2010, section 3.971, subdivision 6, is amended to read:

1.6 Subd. 6. **Financial audits.** The legislative auditor shall audit the financial  
1.7 statements of the state of Minnesota required by section 16A.50 and, as resources permit,  
1.8 shall audit Minnesota State Colleges and Universities, the University of Minnesota, state  
1.9 agencies, departments, boards, commissions, courts, and other state organizations subject  
1.10 to audit by the legislative auditor, including the State Agricultural Society, Agricultural  
1.11 Utilization Research Institute, Enterprise Minnesota, Inc., Minnesota Historical  
1.12 Society, Labor Interpretive Center, Minnesota Partnership for Action Against Tobacco,  
1.13 Metropolitan Sports Facilities Commission, Minnesota Stadium Authority, Metropolitan  
1.14 Airports Commission, and Metropolitan Mosquito Control District. Financial audits  
1.15 must be conducted according to generally accepted government auditing standards. The  
1.16 legislative auditor shall see that all provisions of law respecting the appropriate and  
1.17 economic use of public funds are complied with and may, as part of a financial audit or  
1.18 separately, investigate allegations of noncompliance.

1.19 Sec. 2. Minnesota Statutes 2010, section 3.9741, is amended by adding a subdivision  
1.20 to read:

1.21 Subd. 4. **Minnesota Stadium Authority.** Upon the audit of the financial accounts  
1.22 and affairs of the Minnesota Stadium Authority, the authority is liable to the state for the  
1.23 total cost and expenses of the audit, including the salaries paid to the examiners while  
1.24 actually engaged in making the examination. The legislative auditor may bill the authority

2.1 either monthly or at the completion of the audit. All collections received for the audits  
2.2 must be deposited in the general fund.

2.3 Sec. 3. Minnesota Statutes 2011 Supplement, section 10A.01, subdivision 35, is  
2.4 amended to read:

2.5 Subd. 35. **Public official.** "Public official" means any:

2.6 (1) member of the legislature;

2.7 (2) individual employed by the legislature as secretary of the senate, legislative  
2.8 auditor, chief clerk of the house of representatives, revisor of statutes, or researcher,  
2.9 legislative analyst, or attorney in the Office of Senate Counsel and Research or House  
2.10 Research;

2.11 (3) constitutional officer in the executive branch and the officer's chief administrative  
2.12 deputy;

2.13 (4) solicitor general or deputy, assistant, or special assistant attorney general;

2.14 (5) commissioner, deputy commissioner, or assistant commissioner of any state  
2.15 department or agency as listed in section 15.01 or 15.06, or the state chief information  
2.16 officer;

2.17 (6) member, chief administrative officer, or deputy chief administrative officer of a  
2.18 state board or commission that has either the power to adopt, amend, or repeal rules under  
2.19 chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

2.20 (7) individual employed in the executive branch who is authorized to adopt, amend,  
2.21 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

2.22 (8) executive director of the State Board of Investment;

2.23 (9) deputy of any official listed in clauses (7) and (8);

2.24 (10) judge of the Workers' Compensation Court of Appeals;

2.25 (11) administrative law judge or compensation judge in the State Office of  
2.26 Administrative Hearings or unemployment law judge in the Department of Employment  
2.27 and Economic Development;

2.28 (12) member, regional administrator, division director, general counsel, or operations  
2.29 manager of the Metropolitan Council;

2.30 (13) member or chief administrator of a metropolitan agency;

2.31 (14) director of the Division of Alcohol and Gambling Enforcement in the  
2.32 Department of Public Safety;

2.33 (15) member or executive director of the Higher Education Facilities Authority;

2.34 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;

3.1 (17) member of the board of directors or executive director of the Minnesota State  
3.2 High School League;

3.3 (18) member of the Minnesota Ballpark Authority established in section 473.755;

3.4 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;

3.5 (20) manager of a watershed district, or member of a watershed management  
3.6 organization as defined under section 103B.205, subdivision 13;

3.7 (21) supervisor of a soil and water conservation district;

3.8 (22) director of Explore Minnesota Tourism;

3.9 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in  
3.10 section 97A.056; ~~or~~

3.11 (24) ~~a~~ citizen member of the Clean Water Council established in section 114D.30; or

3.12 (25) member or chief executive of the Minnesota Stadium Authority established  
3.13 in section 473J.07.

3.14 Sec. 4. Minnesota Statutes 2010, section 297A.71, is amended by adding a subdivision  
3.15 to read:

3.16 Subd. 43. **Building materials; football stadium.** Materials and supplies used or  
3.17 consumed in, and equipment incorporated into, the construction or improvement of the  
3.18 football stadium and stadium infrastructure as defined in section 473J.03, subdivisions 7  
3.19 and 9, are exempt. This subdivision expires one year after the date that the first National  
3.20 Football League game is played in the stadium for materials, supplies, and equipment used  
3.21 in the construction and equipping of the stadium, and five years after the issuance of the  
3.22 first bonds under article 2 for materials, supplies, and equipment used in the stadium  
3.23 infrastructure.

3.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.25 Sec. 5. Minnesota Statutes 2011 Supplement, section 340A.404, subdivision 1, is  
3.26 amended to read:

3.27 Subdivision 1. **Cities.** (a) A city may issue an on-sale intoxicating liquor license to  
3.28 the following establishments located within its jurisdiction:

3.29 (1) hotels;

3.30 (2) restaurants;

3.31 (3) bowling centers;

3.32 (4) clubs or congressionally chartered veterans organizations with the approval of  
3.33 the commissioner, provided that the organization has been in existence for at least three  
3.34 years and liquor sales will only be to members and bona fide guests, except that a club

4.1 may permit the general public to participate in a wine tasting conducted at the club under  
4.2 section 340A.419;

4.3 (5) sports facilities, restaurants, clubs, or bars located on land owned or leased by  
4.4 the Minnesota Stadium Authority;

4.5 ~~(5)~~ (6) sports facilities located on land owned by the Metropolitan Sports  
4.6 Commission; and

4.7 ~~(6)~~ (7) exclusive liquor stores.

4.8 (b) A city may issue an on-sale intoxicating liquor license, an on-sale wine license,  
4.9 or an on-sale malt liquor license to a theater within the city, notwithstanding any law, local  
4.10 ordinance, or charter provision. A license issued under this paragraph authorizes sales on  
4.11 all days of the week to persons attending events at the theater.

4.12 (c) A city may issue an on-sale intoxicating liquor license, an on-sale wine license,  
4.13 or an on-sale malt liquor license to a convention center within the city, notwithstanding  
4.14 any law, local ordinance, or charter provision. A license issued under this paragraph  
4.15 authorizes sales on all days of the week to persons attending events at the convention  
4.16 center. This paragraph does not apply to convention centers located in the seven-county  
4.17 metropolitan area.

4.18 (d) A city may issue an on-sale wine license and an on-sale malt liquor license to  
4.19 a person who is the owner of a summer collegiate league baseball team, or to a person  
4.20 holding a concessions or management contract with the owner, for beverage sales at a  
4.21 ballpark or stadium located within the city for the purposes of summer collegiate league  
4.22 baseball games at the ballpark or stadium, notwithstanding any law, local ordinance, or  
4.23 charter provision. A license issued under this paragraph authorizes sales on all days of the  
4.24 week to persons attending baseball games at the ballpark or stadium.

4.25 Sec. 6. Minnesota Statutes 2010, section 352.01, subdivision 2a, is amended to read:

4.26 Subd. 2a. **Included employees.** (a) "State employee" includes:

4.27 (1) employees of the Minnesota Historical Society;

4.28 (2) employees of the State Horticultural Society;

4.29 (3) employees of the Minnesota Crop Improvement Association;

4.30 (4) employees of the adjutant general whose salaries are paid from federal funds and  
4.31 who are not covered by any federal civilian employees retirement system;

4.32 (5) employees of the Minnesota State Colleges and Universities who are employed  
4.33 under the university or college activities program;

5.1 (6) currently contributing employees covered by the system who are temporarily  
5.2 employed by the legislature during a legislative session or any currently contributing  
5.3 employee employed for any special service as defined in subdivision 2b, clause (8);

5.4 (7) employees of the legislature who are appointed without a limit on the duration  
5.5 of their employment and persons employed or designated by the legislature or by a  
5.6 legislative committee or commission or other competent authority to conduct a special  
5.7 inquiry, investigation, examination, or installation;

5.8 (8) trainees who are employed on a full-time established training program  
5.9 performing the duties of the classified position for which they will be eligible to receive  
5.10 immediate appointment at the completion of the training period;

5.11 (9) employees of the Minnesota Safety Council;

5.12 (10) any employees who are on authorized leave of absence from the Transit  
5.13 Operating Division of the former Metropolitan Transit Commission and who are employed  
5.14 by the labor organization which is the exclusive bargaining agent representing employees  
5.15 of the Transit Operating Division;

5.16 (11) employees of the Metropolitan Council, Metropolitan Parks and Open Space  
5.17 Commission, Metropolitan Sports Facilities Commission, or Metropolitan Mosquito  
5.18 Control Commission unless excluded under subdivision 2b or are covered by another  
5.19 public pension fund or plan under section 473.415, subdivision 3;

5.20 (12) judges of the Tax Court;

5.21 (13) personnel who were employed on June 30, 1992, by the University of  
5.22 Minnesota in the management, operation, or maintenance of its heating plant facilities,  
5.23 whose employment transfers to an employer assuming operation of the heating plant  
5.24 facilities, so long as the person is employed at the University of Minnesota heating plant  
5.25 by that employer or by its successor organization;

5.26 (14) personnel who are employed as seasonal employees in the classified or  
5.27 unclassified service;

5.28 (15) persons who are employed by the Department of Commerce as a peace officer  
5.29 in the Insurance Fraud Prevention Division under section 45.0135 who have attained the  
5.30 mandatory retirement age specified in section 43A.34, subdivision 4;

5.31 (16) employees of the University of Minnesota unless excluded under subdivision  
5.32 2b, clause (3);

5.33 (17) employees of the Middle Management Association whose employment began  
5.34 after July 1, 2007, and to whom section 352.029 does not apply; and

5.35 (18) employees of the Minnesota Government Engineers Council to whom section  
5.36 352.029 does not apply; and

6.1 (19) employees of the Minnesota Stadium Authority.

6.2 (b) Employees specified in paragraph (a), clause (13), are included employees under  
6.3 paragraph (a) if employer and employee contributions are made in a timely manner in the  
6.4 amounts required by section 352.04. Employee contributions must be deducted from  
6.5 salary. Employer contributions are the sole obligation of the employer assuming operation  
6.6 of the University of Minnesota heating plant facilities or any successor organizations to  
6.7 that employer.

6.8 Sec. 7. **[473J.01] PURPOSE.**

6.9 The purpose of this chapter is to provide for the construction, financing, and  
6.10 long-term use of a stadium and related stadium infrastructure as a venue for professional  
6.11 football and a broad range of other civic, community, athletic, educational, cultural,  
6.12 and commercial activities. The legislature finds and declares that the expenditure of  
6.13 public money for this purpose is necessary and serves a public purpose, and that property  
6.14 acquired by the Minnesota Stadium Authority for the construction of the stadium and  
6.15 related stadium infrastructure is acquired for a public use or public purpose under chapter  
6.16 117. The legislature further finds and declares that any provision in a lease or use  
6.17 agreement with a professional football team that requires the team to play all of its home  
6.18 games in a publicly funded stadium for the duration of the lease or use agreement, with the  
6.19 occasional exception of a game played elsewhere as set forth in such agreement, serves  
6.20 a unique public purpose for which the remedies of specific performance and injunctive  
6.21 relief are essential to its enforcement. The legislature further finds and declares that  
6.22 government assistance to facilitate the presence of professional football provides to the  
6.23 state of Minnesota and its citizens highly valued intangible benefits that are virtually  
6.24 impossible to quantify and, therefore, not recoverable even if the government receives  
6.25 monetary damages in the event of a team's breach of contract. Minnesota courts are,  
6.26 therefore, charged with protecting those benefits through the use of specific performance  
6.27 and injunctive relief as provided in this chapter and in the lease and use agreements.

6.28 Sec. 8. **[473J.03] DEFINITIONS.**

6.29 Subdivision 1. **Application.** For the purposes of this chapter, the terms defined in  
6.30 this section have the meanings given them, except as otherwise expressly provided or  
6.31 indicated by the context.

6.32 Subd. 2. **Annual adjustment factor.** "Annual adjustment factor" means the annual  
6.33 adjustment factor under section 297A.994, subdivision 4, paragraph (b).

7.1 Subd. 3. **Authority.** "Authority" means the Minnesota Stadium Authority  
7.2 established under section 473J.07.

7.3 Subd. 4. **City.** "City" means the city of Minneapolis.

7.4 Subd. 5. **NFL.** The "NFL" means the National Football League.

7.5 Subd. 6. **NFL team.** "NFL team" means the owner and operator of the NFL  
7.6 professional football team known, as of the effective date of this chapter, as the Minnesota  
7.7 Vikings or any team owned and operated by someone who purchases or otherwise takes  
7.8 ownership or control of or reconstitutes the NFL team known as the Minnesota Vikings.

7.9 Subd. 7. **Stadium.** "Stadium" means the stadium suitable for professional football  
7.10 to be designed, constructed, and financed under this chapter. A stadium must have a roof  
7.11 that covers the stadium, as set forth in section 473J.11, subdivision 3.

7.12 Subd. 8. **Stadium costs.** "Stadium costs" means the costs of acquiring land, the  
7.13 costs of stadium infrastructure, and of designing, constructing, equipping, and financing a  
7.14 stadium suitable for professional football.

7.15 Subd. 9. **Stadium infrastructure.** "Stadium infrastructure" means plazas, parking  
7.16 structures, rights of way, connectors, skyways and tunnels, and other such property,  
7.17 facilities, and improvements, owned by the authority or determined by the authority to  
7.18 facilitate the use and development of the stadium.

7.19 Subd. 10. **Stadium site.** "Stadium site" means all or portions of the current site of  
7.20 the existing football stadium and adjacent areas, bounded generally by Park and Eleventh  
7.21 Avenues and Third and Sixth Streets in the city of Minneapolis, the definitive boundaries  
7.22 of which shall be determined by the authority and agreed to by the NFL team.

7.23 **Sec. 9. [473J.07] MINNESOTA STADIUM AUTHORITY.**

7.24 Subdivision 1. **Established.** The Minnesota Stadium Authority is established as a  
7.25 public body, corporate and politic, and political subdivision of the state. The authority is  
7.26 not a joint powers entity or an agency or instrumentality of the city.

7.27 Subd. 2. **Membership.** (a) The authority shall consist of five members.

7.28 (b) The chair and two members shall be appointed by the governor. One member  
7.29 appointed by the governor shall serve until December 31 of the third year following  
7.30 appointment and one member shall serve until December 31 of the fourth year following  
7.31 appointment. Thereafter, members appointed by the governor shall serve four-year terms,  
7.32 beginning January 1. Each member serves until a successor is appointed and takes office.  
7.33 The chair serves at the pleasure of the governor.

7.34 (c) The mayor of the city shall appoint two members to the authority. One member  
7.35 appointed by the mayor of the city shall serve until December 31 of the third year

8.1 following appointment and one member shall serve until December 31 of the fourth year  
8.2 following appointment. Thereafter, members appointed under this paragraph shall serve  
8.3 four-year terms beginning January 1. Each member serves until a successor is appointed  
8.4 and takes office. Members appointed under this paragraph may reside within the city and  
8.5 may be appointed officials of a political subdivision.

8.6 (d) The initial members of the authority must be appointed not later than 30 days  
8.7 after the date of enactment of this chapter.

8.8 Subd. 3. **Compensation.** The authority may compensate its members, other than the  
8.9 chair, as provided in section 15.0575. The chair shall receive, unless otherwise provided  
8.10 by other law, a salary in an amount fixed by the authority, and shall be reimbursed for  
8.11 reasonable expenses to the same extent as a member.

8.12 Subd. 4. **Chair.** The chair presides at all meetings of the authority, if present, and  
8.13 performs all other assigned duties and functions. The authority may appoint from among  
8.14 its members a vice-chair to act for the chair during the temporary absence or disability of  
8.15 the chair, and any other officers the authority determines are necessary or convenient.

8.16 Subd. 5. **Removal.** A member, other than the chair, may be removed by the  
8.17 appointing authority only for misfeasance, malfeasance, or nonfeasance in office, upon  
8.18 written charges, and after an opportunity to be heard in defense of the charges.

8.19 Subd. 6. **Bylaws.** The authority shall adopt bylaws to establish rules of procedure,  
8.20 the powers and duties of its officers, and other matters relating to the governance of the  
8.21 authority and the exercise of its powers. Except as provided in this section, the bylaws  
8.22 adopted under this subdivision must be similar in form and substance to bylaws adopted  
8.23 by the Minnesota Ballpark Authority pursuant to section 473.755.

8.24 Subd. 7. **Audit.** The legislative auditor shall audit the books and accounts of the  
8.25 authority once each year or as often as the legislative auditor's funds and personnel permit.  
8.26 The authority shall pay the total cost of the audit pursuant to section 3.9741.

8.27 Subd. 8. **Executive director; employees.** The authority may appoint an executive  
8.28 director to serve as the chief executive officer of the authority. The executive director  
8.29 serves at the pleasure of the authority and receives compensation as determined by the  
8.30 authority. The executive director may be responsible for the operation, management, and  
8.31 promotion of activities of the authority, as prescribed by the authority. The executive  
8.32 director has the powers necessarily incident to the performance of duties required and  
8.33 powers granted by the authority, but does not have authority to incur liability or make  
8.34 expenditures on behalf of the authority without general or specific directions by the  
8.35 authority, as shown by the bylaws or minutes of a meeting of the authority. The executive



9.1 director is responsible for hiring, supervision, and dismissal of all other employees of  
9.2 the authority.

9.3 Subd. 9. **Web site.** The authority shall establish a Web site for purposes of providing  
9.4 information to the public concerning all actions taken by the authority. At a minimum, the  
9.5 Web site must contain a current version of the authority's bylaws, notices of upcoming  
9.6 meetings, minutes of the authority's meetings, and contact telephone, electronic mail, and  
9.7 facsimile numbers for public comments.

9.8 Subd. 10. **Quorum; approvals.** Any three members shall constitute a quorum for  
9.9 the conduct of business and action may be taken upon the vote of a majority of members  
9.10 present at a meeting duly called and held. During the design and construction stages of the  
9.11 stadium, a four-fifths vote of the authority is required for authority decisions related to  
9.12 zoning, land use, exterior design of the stadium, related parking, the plaza area, and the  
9.13 selection of the authority's lead representative during design and construction.

9.14 Sec. 10. **[473J.08] LOCATION.**

9.15 The stadium to be constructed under this chapter shall be located at the stadium  
9.16 site in the city of Minneapolis.

9.17 Sec. 11. **[473J.09] POWERS, DUTIES OF THE AUTHORITY.**

9.18 Subdivision 1. **Actions.** The authority may sue and be sued. The authority is a public  
9.19 body and the stadium and stadium infrastructure are public improvements within the  
9.20 meaning of chapter 562. The authority is a municipality within the meaning of chapter 466.

9.21 Subd. 2. **Acquisition of property.** The authority may acquire from any public or  
9.22 private entity by lease, purchase, gift, or devise all necessary right, title, and interest in  
9.23 and to real property, air rights, and personal property deemed necessary to the purposes  
9.24 contemplated by this chapter. The authority may acquire, by the exercise of condemnation  
9.25 powers under chapter 117, land, other real property, air rights, personal property, and other  
9.26 right, title, and interest in property, within the stadium site and stadium infrastructure.

9.27 Subd. 3. **Disposition of property.** The authority may sell, lease, or otherwise  
9.28 dispose of any real or personal property acquired by the authority that is no longer required  
9.29 for accomplishment of the authority's purposes. The property may be sold in accordance  
9.30 with the procedures provided by section 469.065, except subdivisions 6 and 7, to the  
9.31 extent the authority deems it to be practical and consistent with this chapter. Title to the  
9.32 stadium must not be transferred or sold by the authority prior to the effective date of  
9.33 enactment of any legislation approving such transfer or sale.

10.1            Subd. 4. **Data practices; open meetings.** Except as otherwise provided in this  
10.2 chapter, the authority is subject to chapters 13 and 13D.

10.3            Subd. 5. **Facility operation.** The authority may develop, construct, equip, improve,  
10.4 own, operate, manage, maintain, finance, and control the stadium, stadium infrastructure,  
10.5 and related facilities constructed or acquired under this chapter, or may delegate such  
10.6 duties through an agreement, subject to the rights and obligations transferred to and  
10.7 assumed by the authority, the NFL team, other user, third-party manager, or program  
10.8 manager, under the terms of a lease, use agreement, or development agreement.

10.9            Subd. 6. **Employees; contracts for services.** The authority may employ persons  
10.10 and contract for services necessary to carry out its functions, including the utilization of  
10.11 employees and consultants retained by other governmental entities. The authority shall  
10.12 enter into an agreement with the city regarding traffic control for the stadium.

10.13           Subd. 7. **Gifts, grants, loans.** The authority may accept monetary contributions,  
10.14 property, services, and grants or loans of money or other property from the United States,  
10.15 the state, any subdivision of the state, any agency of those entities, or any person for any  
10.16 of its purposes, and may enter into any agreement required in connection with the gifts,  
10.17 grants, or loans. The authority shall hold, use, and dispose of the money, property, or  
10.18 services according to the terms of the monetary contributions, grant, loan, or agreement.

10.19           Subd. 8. **Use agreements.** The authority may lease, license, or enter into use  
10.20 agreements and may fix, alter, charge, and collect rents, fees, and charges for the use,  
10.21 occupation, and availability of part or all of any premises, property, or facilities under  
10.22 its ownership, operation, or control for purposes that will provide athletic, educational,  
10.23 cultural, commercial, or other entertainment, instruction, or activity for the citizens of  
10.24 Minnesota and visitors. The use agreements may provide that the other contracting party  
10.25 has exclusive use of the premises at the times agreed upon, as well as the right to retain  
10.26 some or all revenues from ticket sales, suite licenses, concessions, advertising, naming  
10.27 rights, NFL team designated broadcast/media, club seats, signage, and other revenues  
10.28 derived from the stadium. The lease or use agreement with an NFL team must provide for  
10.29 the payment by the NFL team of an agreed-upon portion of operating and maintenance  
10.30 costs and expenses and provide other terms in which the authority and NFL team agree. In  
10.31 no case may a lease or use agreement permit smoking in the stadium.

10.32           Subd. 9. **Research.** The authority may conduct research studies and programs;  
10.33 collect and analyze data; prepare reports, maps, charts, and tables; and conduct all  
10.34 necessary hearings and investigations in connection with its functions.

10.35           Subd. 10. **Insurance.** The authority may require any employee to obtain and file  
10.36 with the authority an individual bond or fidelity insurance policy. The authority may

11.1 procure insurance in the amounts the authority considers necessary against liability of the  
11.2 authority or its officers and employees for personal injury or death and property damage or  
11.3 destruction, consistent with chapter 466, and against risks of damage to or destruction of  
11.4 any of its facilities, equipment, or other property.

11.5 **Subd. 11. Exemption from Metropolitan Council review; Business Subsidy Act.**

11.6 The acquisition and betterment of a stadium and stadium infrastructure by the authority  
11.7 must be conducted pursuant to this chapter and are not subject to sections 473.165 and  
11.8 473.173. Section 116J.994 does not apply to any transactions of the authority or other  
11.9 governmental entity related to the stadium or stadium infrastructure or to any tenant or  
11.10 other users of the stadium or stadium infrastructure. The Metropolitan Council shall waive  
11.11 any sewer access charges or similar fees and charges customarily imposed attributable to  
11.12 the design and construction of the stadium and stadium infrastructure.

11.13 **Subd. 12. Incidental powers.** In addition to the powers expressly granted in this  
11.14 chapter, the authority has all powers necessary or incidental thereto.

11.15 **Subd. 13. Transfers to the authority.** In addition to any other payments required  
11.16 under this act, for operating years 2016 to 2020, the NFL team shall annually transfer to  
11.17 the authority amounts equal to the city of Minneapolis share of operating costs and capital  
11.18 reserves. These amounts shall be repaid to the NFL team by the state on behalf of the city  
11.19 of Minneapolis through a repayment schedule to be specified in law, and agreed to in all  
11.20 subsequent agreements between the city and the NFL team.

11.21 **Sec. 12. [473J.11] STADIUM DESIGN AND CONSTRUCTION.**

11.22 **Subdivision 1. Contracts.** (a) The design, development, and construction of the  
11.23 stadium shall be a collaborative process between the authority and the NFL team. The  
11.24 authority and the NFL team shall establish a process to reach consensus on key elements  
11.25 of the stadium program and design, development, and construction.

11.26 (b) Unless the authority and the NFL team agree otherwise:

11.27 (1) the authority shall create a stadium design and construction group, including  
11.28 representatives of the authority and the NFL team, to manage the design of the stadium  
11.29 and oversee construction;

11.30 (2) this group shall engage an owner's representative to act on behalf of the group.  
11.31 The cost of the owner's representative shall be a stadium cost; and

11.32 (3) the authority and the NFL team shall enter into a development administration  
11.33 agreement providing for rights and responsibilities of the authority and the NFL team, the  
11.34 design and construction group, and the owner's representative for design and construction  
11.35 of the stadium, including but not limited to establishment of minimum design standards.

12.1 This development administration agreement shall provide for binding arbitration in  
12.2 the event that the authority and the NFL team are unable to agree on minimum design  
12.3 standards or other material aspects of the design.

12.4 (c) The authority may enter into an agreement with the NFL team and any other  
12.5 entity relating to the design, construction, financing, operation, maintenance, and use of  
12.6 the stadium and related facilities and stadium infrastructure. The authority may contract  
12.7 for materials, supplies, and equipment in accordance with section 471.345, except that  
12.8 the authority may employ or contract with persons, firms, or corporations to perform one  
12.9 or more or all of the functions of architect, engineer, construction manager, or program  
12.10 manager with respect to all or any part of the design, construction, financing, operation,  
12.11 maintenance, and use of the stadium and stadium infrastructure under the traditional  
12.12 separate design and build, integrated design-build, construction manager at risk, or  
12.13 public/private partnership (P3) structures, or a combination thereof.

12.14 (d) The authority and the NFL team shall prepare a request for proposals for one or  
12.15 more of the functions described in paragraph (c). The request must be published in the  
12.16 State Register and shall include, at a minimum, such requirements that are agreed to by  
12.17 the authority and the NFL team. The authority and the NFL team may prequalify offerors  
12.18 by issuing a request for qualifications, in advance of the request for proposals, and select a  
12.19 short list of responsible offerors prior to discussions and evaluations.

12.20 (e) As provided in the request for proposals, the authority, and the NFL team, may  
12.21 conduct discussions and negotiations with responsible offerors in order to determine  
12.22 which proposal is most advantageous to the authority and the NFL team and to negotiate  
12.23 the terms of an agreement. In conducting discussions, there shall be no disclosure of any  
12.24 information derived from proposals submitted by competing offerors and the content of all  
12.25 proposals is nonpublic data under chapter 13 until such time as a notice to award a contract  
12.26 is given by the authority. The agreement shall be subject to the approval of the NFL team.

12.27 (f) Prior to the time the authority enters into a construction contract with a  
12.28 construction manager or program manager certifying a maximum price and a completion  
12.29 date as provided in paragraph (h), at the request of the NFL team, the authority may  
12.30 authorize, such authorization not to be unreasonably withheld or delayed, the NFL team  
12.31 to provide for management of the construction of the stadium and related stadium  
12.32 infrastructure, in which event the NFL team must assume the role and responsibilities  
12.33 of the authority for completion of construction in a manner consistent with the agreed  
12.34 minimum design standards and design documents, subject to the terms of this act,  
12.35 including responsibility for cost overruns.

13.1 (g) The construction manager or program manager may enter into contracts with  
13.2 contractors for labor, materials, supplies, and equipment for the construction of the  
13.3 stadium and related stadium infrastructure through the process of public bidding, except  
13.4 that the construction manager or program manager may, with the consent of the authority  
13.5 or the NFL team if the NFL team has assumed responsibility for construction:

13.6 (1) narrow the listing of eligible bidders to those which the construction manager  
13.7 or program manager determines to possess sufficient expertise to perform the intended  
13.8 functions;

13.9 (2) award contracts to the contractors that the construction manager or program  
13.10 manager determines provide the best value under a request for proposals as described in  
13.11 section 16C.28, subdivision 1, paragraphs (a), clause (2), and (c), which are not required  
13.12 to be the lowest responsible bidder; and

13.13 (3) for work the construction manager or program manager determines to be critical  
13.14 to the completion schedule, award contracts on the basis of competitive proposals, or  
13.15 perform work with its own forces without soliciting competitive bids if the construction  
13.16 manager or program manager provides evidence of competitive pricing.

13.17 (h) The authority and the NFL team shall require that the construction manager or  
13.18 program manager certify, before the contract is signed, a fixed and stipulated construction  
13.19 price and completion date to the authority and post a performance bond in an amount  
13.20 at least equal to 100 percent of the certified price or such other security satisfactory to  
13.21 the authority, to cover any costs which may be incurred in excess of the certified price  
13.22 including, but not limited to, costs incurred by the authority or loss of revenues resulting  
13.23 from incomplete construction on the completion date. The authority may secure surety  
13.24 bonds as provided in section 574.26, securing payment of just claims in connection with  
13.25 all public work undertaken by the authority. Persons entitled to the protection of the  
13.26 bonds may enforce them as provided in sections 574.28 to 574.32 and are not entitled to a  
13.27 lien on any property of the authority under the provisions of sections 514.01 to 514.16.  
13.28 The construction of the stadium is a project as that term is defined in section 177.42,  
13.29 subdivision 2, and is subject to the prevailing wage law under sections 177.41 to 177.43.

13.30 Subd. 2. **Changes.** Unless otherwise agreed to by the authority and the NFL team,  
13.31 if either party requests an agreed upon change in minimum design standards, and this  
13.32 change is responsible for requiring the project to exceed the stated budget, the requesting  
13.33 party is liable for any cost overruns or associated liabilities.

13.34 Subd. 3. **Stadium design.** The stadium and stadium infrastructure shall be designed  
13.35 and constructed incorporating the following general program and design elements:

14.1 (1) Unless otherwise agreed to by the authority and the NFL team, the stadium  
14.2 shall comprise approximately 1,500,000 square feet with approximately 65,000 seats,  
14.3 expandable to 72,000, shall meet or exceed NFL program requirements, and include  
14.4 approximately 150 suites and approximately 7,500 club seats or other such components as  
14.5 agreed to by the authority and the NFL team;

14.6 (2) space for NFL team-related exhibitions and sales, which shall include the  
14.7 following: NFL team museum and Hall of Fame, retail merchandise and gift shop retail  
14.8 venues, and themed concessions and restaurants;

14.9 (3) year-round space for the NFL team administrative operations, sales, and  
14.10 marketing, including a ticket office, team meeting space, locker, and training rooms;

14.11 (4) space for administrative offices of the authority;

14.12 (5) 2,000 parking spaces within one block of the stadium, connected by skyway or  
14.13 tunnel to the stadium, and 500 parking spaces within two blocks of the stadium, with a  
14.14 dedicated walkway on game days;

14.15 (6) elements sufficient to provide community and civic uses as determined by the  
14.16 authority; and

14.17 (7) a roof that is fixed or retractable, provided that if the roof is retractable, it is  
14.18 accomplished without any increase to the funding provided by the state or the city.

14.19 Subd. 4. **Cost overruns, savings.** The authority may accept financial obligations  
14.20 relating to cost overruns associated with acquisition of the stadium site, stadium  
14.21 infrastructure, and stadium design, development, and construction, provided that the  
14.22 authority shall not accept responsibility for cost overruns and shall not be responsible for  
14.23 cost overruns if the authority has authorized the NFL team to provide for management  
14.24 of construction of the stadium under section 473J.11, subdivision 1. Cost savings or  
14.25 additional funds obtained by the authority or the NFL team for the stadium or stadium  
14.26 infrastructure may be used first to fund additional stadium or stadium infrastructure, as  
14.27 agreed to by the authority and the NFL team, if any, and then to fund capital reserves.

14.28 **Sec. 13. [473J.112] COMMEMORATIVE BRICKS.**

14.29 The authority shall sell commemorative bricks to be displayed at a prominent  
14.30 location in the new stadium, for an amount to be determined by the authority. The  
14.31 authority shall work with the commissioner to ensure that purchase of a brick is a tax  
14.32 deductible donation on the part of the donating person or organization. Funds raised  
14.33 through this section shall be appropriated to the commissioner of management and budget  
14.34 for a grant to the Minnesota Stadium Authority.

14.35 **EFFECTIVE DATE.** This section is effective the day following final enactment.

15.1       Sec. 14. **[473J.12] EMPLOYMENT.**

15.2           Subdivision 1. **Hiring and recruitment.** In the design, development, construction,  
15.3 management, operation, maintenance and capital repair, replacement and improvement of  
15.4 the stadium and stadium infrastructure, the authority shall make every effort to employ,  
15.5 and cause the NFL team, the construction manager and other subcontractors, vendors, and  
15.6 concessionaires to employ women and members of minority communities when hiring.  
15.7 Further, goals for construction contracts to be awarded to women and minority-owned  
15.8 businesses will be in a percentage at least equal to the minimum used for city of  
15.9 Minneapolis development projects, and the other construction workforce will establish  
15.10 workforce utilization goals at least equal to current city goals and include workers from  
15.11 city zip codes that have high rates of poverty and unemployment.

15.12           Subd. 2. **Other required agreements.** The NFL team or the authority shall give  
15.13 food, beverage, retail, and concession workers presently employed by the NFL team or  
15.14 the Metropolitan Sports Facilities Commission or its vendors at the existing football  
15.15 stadium the opportunity to continue their employment in comparable positions at the new  
15.16 stadium. Workers who are presently represented under a collective bargaining agreement  
15.17 may seek to continue such representation in the facility and designate such, or another  
15.18 collective bargaining unit, as their representative.

15.19       Sec. 15. **[473J.13] STADIUM OPERATIONS; CAPITAL IMPROVEMENTS.**

15.20           Subdivision 1. **Stadium operation.** The stadium shall be operated in a first class  
15.21 manner, similar to and consistent with other comparable NFL stadiums, such as the  
15.22 stadium currently known as Lucas Oil Field. The authority and the team will mutually  
15.23 agree on a third-party management company or individual to manage the stadium and on  
15.24 certain major vendors to the stadium. The authority, with the approval of the NFL team,  
15.25 may enter into an agreement with a program manager for management of the stadium, for  
15.26 a maximum of 30 years.

15.27           Subd. 2. **Operating expenses.** (a) The authority must pay or cause to be paid  
15.28 all operating expenses of the stadium. The authority must require in the lease or use  
15.29 agreement with the NFL team that the NFL team pay the authority, beginning January 1,  
15.30 2016, or other date as mutually agreed upon by the parties, toward operating costs of the  
15.31 stadium, \$8,500,000 each year, increased by a three percent annual inflation rate.

15.32           (b) Beginning January 1, 2016, or other date as mutually agreed upon by the parties,  
15.33 and continuing through 2020, the NFL team shall pay the authority operating expenses,  
15.34 \$6,000,000 each year, increased by an annual adjustment factor. The payment of \$6  
15.35 million per year beginning in 2016 is a payment by the team, which shall be repaid to the

16.1 team by the state, using funds as provided under section 297A.994, subdivision 4, clause  
16.2 (4). After 2020, the state shall assume this payment, using funds generated in accordance  
16.3 with the city of Minneapolis as specified under section 287A.994.

16.4 (c) The authority may establish an operating reserve to cover operating expense  
16.5 shortfalls and may accept funds from any source for deposit in the operating reserve. The  
16.6 establishment or funding of an authority operating reserve must not decrease the amounts  
16.7 required to be paid to the authority toward operating costs under this subdivision unless  
16.8 agreed to by the authority.

16.9 (d) The authority will be responsible for operating cost overruns.

16.10 (e) After the joint selection of the third-party manager or program manager, the  
16.11 authority may agree with a program manager or other third-party manager of the stadium  
16.12 on a fixed cost operating, management, or employment agreement with operating  
16.13 cost protections under which the program manager or third-party manager assumes  
16.14 responsibility for stadium operating costs and shortfalls. The agreement with the manager  
16.15 must require the manager to prepare an initial and ongoing operating plan and operating  
16.16 budgets for approval by the authority in consultation with the NFL team. The manager  
16.17 must agree to operate the stadium in accordance with the approved operating plan and  
16.18 operating budget.

16.19 Subd. 3. **Public access.** The authority will work to maximize access for public and  
16.20 amateur sports, community, and civic events, and other public events in type and on terms  
16.21 consistent with those currently held at the existing football stadium, as defined in section  
16.22 473.551, subdivision 9. The authority may provide that these events have exclusive use  
16.23 of the premises at agreed-upon times subject to the scheduling rights of the NFL team  
16.24 under the lease or use agreement.

16.25 Subd. 4. **Capital improvements.** (a) The authority shall establish a capital  
16.26 reserve fund. The authority shall be responsible for making, or for causing others to  
16.27 make, all capital repairs, replacements, and improvements for the stadium and stadium  
16.28 infrastructure. The authority shall maintain, or cause others to maintain, the stadium and  
16.29 stadium infrastructure in a safe, clean, attractive, and first class manner so as to cause  
16.30 them to remain in a condition comparable to that of other comparable NFL facilities of  
16.31 similar design and age. The authority shall make, or cause others to make, all necessary  
16.32 or appropriate repairs, renewals, and replacements, whether structural or nonstructural,  
16.33 interior or exterior, ordinary or extraordinary, foreseen or unforeseen, in a prompt and  
16.34 timely manner. In addition, the authority, with approval of the NFL team, may enter into  
16.35 an agreement with a program manager to perform some or all of the responsibilities of the



17.1 authority in this subdivision and to assume and accept financial liability for the cost of  
17.2 performing the responsibilities.

17.3 (b) The NFL team must contribute \$1,500,000 each year, beginning in 2016 or as  
17.4 otherwise determined for the term of the lease or use agreement to the operating reserve  
17.5 fund, increased by a three percent annual inflation rate.

17.6 (c) The state shall contribute \$1,500,000 each year, beginning in 2016 or as otherwise  
17.7 determined for the term of the lease to the operating reserve fund. The contributions of the  
17.8 state are subject to increase by an annual adjustment factor. The contribution under this  
17.9 paragraph shall be assumed by the team from 2016 through 2020, and repaid to the team  
17.10 by the state using funds in accordance with section 297A.994, subdivision 4, clause (4).

17.11 (d) The authority with input from the NFL team shall develop short-term and  
17.12 long-term capital funding plans and shall use those plans to guide the future capital needs  
17.13 of the stadium and stadium infrastructure. The authority shall make the final determination  
17.14 with respect to funding capital needs. Any capital improvement proposed by the NFL  
17.15 team intended primarily to provide revenue enhancements to the NFL team shall be paid  
17.16 for by the NFL team, unless otherwise agreed to with the authority.

17.17 Subd. 5. **Game day payments.** In addition to operating expense contributions  
17.18 of the NFL team under subdivision 2, the NFL team shall pay all NFL game day, NFL  
17.19 team-owned major league soccer, as provided in section 473J.15, subdivision 15, and  
17.20 other NFL team sponsored event expenses within the stadium and stadium plaza areas.

17.21 Subd. 6. **Cooperation with financing.** The authority will cooperate with the  
17.22 NFL team to facilitate the financing of the NFL team's contribution. Such agreement to  
17.23 cooperate shall not require the authority to incur any additional costs or provide conduit  
17.24 financing. The lease, license, and other transaction documents shall include provisions  
17.25 customarily required by lenders in stadium financings.

17.26 Sec. 16. **[473J.15] CRITERIA AND CONDITIONS.**

17.27 Subdivision 1. **Binding and enforceable.** In developing the stadium and entering  
17.28 into related contracts, the authority must follow and enforce the criteria and conditions in  
17.29 this section, provided that a determination by the authority that those criteria or conditions  
17.30 have been met under any agreement or otherwise shall be conclusive.

17.31 Subd. 2. **NFL team/private contribution; timing of expenditures.** (a) The NFL  
17.32 team/private contribution, including stadium builder license proceeds, for stadium costs  
17.33 must be made in cash in the amount of at least \$427,000,000.

17.34 (b) Prior to the initial deposit of funds under this section, the team must provide  
17.35 security or other credit worthiness in the amount of \$50,000,000, subject to the satisfaction

18.1 of the authority. Prior to the first issuance of bonds under section 16A.965, the first portion  
18.2 of the NFL team/private contribution in the amount of \$50,000,000 must be deposited as  
18.3 costs are incurred to the construction fund to pay for the initial stadium costs.

18.4 (c) After the first \$50,000,000 of stadium costs have been paid from the initial  
18.5 NFL team/private contribution, state funds shall be deposited as costs are incurred to  
18.6 the construction fund to pay for the next \$50,000,000 of costs of the project. Prior to  
18.7 any state funds being deposited in the construction fund, the NFL team must provide  
18.8 security or a financing commitment reasonably satisfactory to the authority for the  
18.9 balance of the required NFL team/private contribution and for payment of cost overruns  
18.10 if the NFL team assumes responsibility for stadium construction under section 473J.11.  
18.11 Thereafter budgeted project costs shall be borne by the authority and the NFL team/private  
18.12 contributions in amounts proportionate to their remaining funding commitments.

18.13 (d) In the event the project terminates before the initial \$100,000,000 in contributions  
18.14 are expended by the parties under this subdivision, the parties shall be reimbursed in the  
18.15 amounts they have deposited to the construction fund proportionate to project funding  
18.16 percentages, in the amounts of 56 percent by the authority and 44 percent by the NFL  
18.17 team/private contributions.

18.18 Subd. 3. **Lease or use agreements; 30-year term.** The authority must enter into  
18.19 a long-term lease or use agreement with the NFL team for the NFL team's use of the  
18.20 stadium. The NFL team must agree to play all preseason, regular season, and postseason  
18.21 home games at the stadium. Training facilities must remain in Minnesota during the term  
18.22 of the lease or use agreement. The lease or use agreement must be for a term of at least  
18.23 30 years from the date of substantial completion of the stadium for professional football  
18.24 games. The lease or use agreement may provide options for the NFL team to extend the  
18.25 term for up to four additional periods of five years. The lease or use agreement must  
18.26 include terms for default, termination, and breach of the agreement. Recognizing that  
18.27 the presence of professional football provides to the state of Minnesota and its citizens  
18.28 highly valued, intangible benefits that are virtually impossible to quantify and, therefore,  
18.29 not recoverable in the event of the NFL team owner's breach of contract, the lease and  
18.30 use agreements must provide for specific performance and injunctive relief to enforce  
18.31 provisions relating to use of the stadium for professional football and must not include  
18.32 escape clauses or buyout provisions. The NFL team must not enter into or accept any  
18.33 agreement or requirement with or from any entity that is inconsistent with the NFL team's  
18.34 binding commitment to the 30-year term of the lease or use agreement or that would in  
18.35 any manner dilute, interfere with, or negate the provisions of the lease or use agreement,  
18.36 providing for specific performance or injunctive relief. The legislature conclusively

19.1 determines, as a matter of public policy, that the lease or use agreement, and any grant  
19.2 agreement under this chapter that includes a specific performance clause:

19.3 (1) explicitly authorizes specific performance as a remedy for breach;

19.4 (2) is made for adequate consideration and upon terms which are otherwise fair  
19.5 and reasonable;

19.6 (3) has not been included through sharp practice, misrepresentation, or mistake;

19.7 (4) if specifically enforced, does not cause unreasonable or disproportionate hardship  
19.8 or loss to the NFL team or to third parties; and

19.9 (5) involves performance in a manner and the rendering of services of a nature and  
19.10 under circumstances that the beneficiary cannot be adequately compensated in damages.

19.11 Subd. 4. **Lease or use agreements; revenues, payments.** A lease or use agreement  
19.12 shall include rent and other fees and expenses to be paid by the NFL team. The authority  
19.13 shall agree to provide in the lease or use agreement for the NFL team to receive all NFL  
19.14 and team event related revenues, including but not limited to, suite revenues, advertising,  
19.15 concessions, signage, broadcast and media, and club seat revenue. The agreement shall  
19.16 also provide that all naming rights to the stadium are retained by the NFL team, subject to  
19.17 the approval of the name or names by the authority consistent with those criteria set out  
19.18 in the lease or use agreement. The agreement shall provide for the authority to receive  
19.19 all general ticket revenues and other event revenues other than from NFL team games,  
19.20 NFL team owned major league soccer games, and other NFL team events agreed to by  
19.21 the authority.

19.22 Subd. 5. **Notice of breach or default.** Until 30 years from the date of stadium  
19.23 completion, the NFL team must provide written notice to the authority not less than 180  
19.24 days prior to any action, including any action imposed upon the NFL team by the NFL,  
19.25 which would result in a breach or default of provisions of the lease or use agreements  
19.26 required to be included under subdivision 3. If this notice provision is violated and the  
19.27 NFL team has already breached or been in default under the required provisions, the  
19.28 authority or the state of Minnesota may specifically enforce the lease or use agreement  
19.29 and Minnesota courts shall fashion equitable remedies so that the NFL team fulfills the  
19.30 conditions of the lease and use agreements.

19.31 Subd. 6. **Enforceable financial commitments.** The authority must determine before  
19.32 stadium construction begins that all public and private funding sources for construction,  
19.33 operating expenses, and capital improvements and repairs of the stadium are included in  
19.34 written agreements. The committed funds must be adequate to design, construct, furnish,  
19.35 and equip the stadium, and pay projected operating expenses and the costs of capital  
19.36 improvements and repairs during the term of the lease or use agreement with the NFL

20.1 team. The NFL team must provide the authority access to NFL team financial or other  
20.2 information, which the authority deems necessary for such determination. Any financial  
20.3 information obtained by the authority under this subdivision is nonpublic data under  
20.4 section 13.02, subdivision 9.

20.5 Subd. 7. **Environmental requirements.** The authority must comply with all  
20.6 environmental requirements imposed by regulatory agencies for the stadium, site, and  
20.7 structure, except as provided by section 473J.09, subdivision 11, or by section 473J.17.

20.8 Subd. 8. **Public share on sale of NFL team.** The lease or use agreement must  
20.9 provide that, if the NFL team is sold or an interest in the NFL team is sold after the  
20.10 effective date of this chapter, a portion of the sale price must be paid to the authority and  
20.11 deposited in a reserve fund for improvements to the stadium or expended as the authority  
20.12 may otherwise direct. The portion required to be so paid to the authority is 18 percent  
20.13 of the amount in excess of the purchase price of the NFL team by the selling owner or  
20.14 owners, declining to zero 15 years after commencement of stadium construction in  
20.15 increments of 1.2 percent each year. The agreement must provide exceptions for sales  
20.16 to members of the owners' family and entities and trusts beneficially owned by family  
20.17 members, sales to employees of equity interests aggregating up to ten percent, sales related  
20.18 to capital infusions not distributed to the owners, and sales amongst existing owners not  
20.19 exceeding 20 percent equity interest in the NFL team.

20.20 Subd. 9. **Authority's access to NFL team financial information.** A notice  
20.21 provision for a material breach shall be agreed to between the authority and the NFL team.  
20.22 In the event there is a material breach by the NFL team under the lease or use agreement,  
20.23 the lease or use agreement must provide the authority access to audited financial statements  
20.24 of the NFL team and other financial information that the authority deems necessary to  
20.25 enforce the terms of any lease or use agreements. Any financial information obtained by  
20.26 the authority under this subdivision is nonpublic data under section 13.02, subdivision 9.

20.27 Subd. 10. **NFL team name retained.** The lease or use agreement must provide  
20.28 that the NFL team and NFL will transfer to the state of Minnesota the Minnesota Vikings'  
20.29 heritage and records, including the name, logo, colors, history, playing records, trophies,  
20.30 and memorabilia in the event of relocation of the NFL team is in violation of the lease  
20.31 or use agreement.

20.32 Subd. 11. **Stadium design.** (a) The authority and the NFL team will strive to build a  
20.33 stadium that is environmentally and energy efficient and will make an effort to build a  
20.34 stadium that is eligible to receive the Leadership in Energy and Environmental Design  
20.35 (LEED) certification for environmental design, and to the extent practicable, will strive to  
20.36 make the stadium design architecturally significant.

21.1 (b) The stadium design must, to the extent feasible, follow sustainable building  
21.2 guidelines established under section 16B.325.

21.3 (c) The authority and the team must ensure that the stadium be, to the greatest extent  
21.4 practicable, constructed of American-made steel.

21.5 Subd. 12. **Necessary approvals.** The authority and the NFL team must secure  
21.6 any necessary approvals to the terms of the lease and use agreement and the design and  
21.7 construction plans for the stadium, including prior approval of the NFL.

21.8 Subd. 13. **Affordable access.** The lease or use agreement must provide for an  
21.9 agreed-upon number of affordable tickets to the professional sporting events held in the  
21.10 stadium.

21.11 Subd. 14. **Stadium builder's licenses.** The authority shall own and retain the  
21.12 exclusive right to sell stadium builder's licenses in the stadium. The authority will retain  
21.13 the NFL team to act as the authority's agent in marketing and selling such licenses.

21.14 Subd. 15. **Major league soccer.** The authority shall, for five years after the first  
21.15 NFL team home game is played in the stadium, grant the NFL team the exclusive right to  
21.16 establish major league soccer at the stadium. The authority and the NFL team may enter  
21.17 into an agreement providing the terms and conditions of such an arrangement, provided:

21.18 (1) if any of the NFL team owners whose family owns at least three percent of  
21.19 the NFL team purchases full or partial ownership in a major league soccer franchise,  
21.20 such franchise may play in the stadium under a use agreement with similar terms as are  
21.21 applicable to the NFL team at no additional rent, but including a provision of payment  
21.22 of game day costs and reasonable marginal costs incurred by the authority as a result of  
21.23 the major league soccer team; and

21.24 (2) capital improvements required by a major league soccer franchise must be  
21.25 financed by the owners of the major league soccer team, unless otherwise agreed to by  
21.26 the authority.

21.27 Subd. 16. **NFL team-related entities.** Subject to the prior approval of the authority,  
21.28 which shall not be unreasonably withheld, any of the obligations by the NFL team may  
21.29 be performed by the NFL team, a related entity, or a third party, and the NFL team, any  
21.30 entity related to the NFL team or third party may receive any revenues to which the NFL  
21.31 team is entitled hereunder; provided, however, the NFL team shall remain liable if any  
21.32 obligations are assigned to a related entity or third party.

21.33 **Sec. 17. [473J.17] MUNICIPAL ACTIVITIES.**

21.34 Subdivision 1. **Property acquisition and disposition.** The city may, to the extent  
21.35 legally permissible, acquire land, air rights, and other property interests within the

22.1 development area for the stadium site and stadium infrastructure and convey it to the  
22.2 authority with or without consideration, prepare a site for development as a stadium, and  
22.3 acquire and construct any related stadium infrastructure. To the extent property parcels or  
22.4 interests acquired are more extensive than the stadium infrastructure requirements, the city  
22.5 may sell or otherwise dispose of the excess.

22.6 Subd. 2. **Claims.** Except as may be mutually agreed to by the city and the authority,  
22.7 the city has no interest in or claim to any assets or revenues of the authority.

22.8 Subd. 3. **Environmental; planning and zoning.** The authority is the responsible  
22.9 governmental unit for an environmental impact statement for the stadium prepared under  
22.10 section 116D.04, if an environmental impact statement is necessary. Notwithstanding  
22.11 section 116D.04, subdivision 2b, and implementing rules: (1) the environmental  
22.12 impact statement shall not be required to consider alternative stadium sites; and (2) the  
22.13 environmental impact statement must be determined to be adequate before commencing  
22.14 work on the foundation of the stadium, but the stadium and stadium infrastructure may  
22.15 otherwise be started and all preliminary and final government decisions and actions may  
22.16 be made and taken including, but not limited to, acquiring land; obtaining financing;  
22.17 granting permits or other land use approvals; entering into grant, lease, or use agreements;  
22.18 or preparing the site or related stadium infrastructure prior to a determination of the  
22.19 adequacy of the environmental impact statement.

22.20 Subd. 4. **Local government expenditure.** The city may make expenditures or  
22.21 grants for other costs incidental and necessary to further the purposes of this chapter and  
22.22 may, by agreement, reimburse in whole or in part, any entity that has granted, loaned, or  
22.23 advanced funds to the city to further the purposes of this chapter. The city may reimburse  
22.24 the authority or a local governmental entity or make a grant to the authority or such a  
22.25 governmental unit or be reimbursed by the authority or local government entity for site  
22.26 acquisition, preparation of the site for stadium development, and stadium infrastructure.

22.27 Subd. 5. **Municipal authority.** The legislature intends that, except as expressly  
22.28 limited herein, the city may acquire and develop stadium infrastructure, enter into contracts  
22.29 with the authority and other governmental or nongovernmental entities, appropriate funds,  
22.30 and make employees, consultants, and other revenues available for those purposes.

22.31 Subd. 6. **Stadium Implementation Committee; city review.** In order to accomplish  
22.32 the objectives of this act within the required time frame, it is necessary to establish an  
22.33 alternative process for municipal land use and development review. It is hereby found  
22.34 and declared that the construction of a stadium within the development area is consistent  
22.35 with the adopted area plan, is the preferred stadium location, and is a permitted land use.  
22.36 This subdivision establishes a procedure for all land use and development reviews and

23.1 approvals by the city of Minneapolis for the stadium and related stadium infrastructure and  
23.2 supersedes all land use and development rules and restrictions and procedures imposed  
23.3 by other law, charter, or ordinance, including without limitation section 15.99. No later  
23.4 than 30 days after timely compliance of the city as provided in article 4, section 5, of this  
23.5 chapter, the city of Minneapolis shall establish a stadium implementation committee  
23.6 to make recommendations on the design plans submitted for the stadium, and stadium  
23.7 infrastructure, and related improvements. The implementation committee must take  
23.8 action to issue its recommendations within the time frames established in the planning  
23.9 and construction timetable issued by the authority which shall provide for no less than 60  
23.10 days for the committee's review. The recommendations of the implementation committee  
23.11 shall be forwarded to the city of Minneapolis Planning Commission for an advisory  
23.12 recommendation and then to the city council for final action in a single resolution, which  
23.13 final action must be taken within 45 days of the submission of the recommendations to the  
23.14 planning commission. The city council shall not impose any unreasonable conditions on  
23.15 the recommendations of the implementation committee, nor take any action or impose  
23.16 any conditions that will result in delay from the time frames established in the planning  
23.17 and construction timetable or in additional overall costs. Failure of the city council to act  
23.18 within the 45-day period shall be deemed to be approval. The authority may seek de novo  
23.19 review in the district court of any city council action. The district court or any appellate  
23.20 court shall expedite review to the maximum extent possible and timely issue relief, orders,  
23.21 or opinions as necessary to give effect to the provisions and objectives in this act.

23.22 Sec. 18. **[473J.19] PROPERTY TAX EXEMPTION; SPECIAL ASSESSMENTS.**

23.23 Any real or personal property acquired, owned, leased, controlled, used, or occupied  
23.24 by the authority for any of the purposes of this chapter, is acquired, owned, leased,  
23.25 controlled, used, and occupied for public, governmental, and municipal purposes. The  
23.26 stadium and stadium infrastructure are exempt from ad valorem taxation by the state  
23.27 or any political subdivision of the state provided that the properties are subject to  
23.28 special assessments levied by a political subdivision for a local improvement in amounts  
23.29 proportionate to and not exceeding the special benefit received by the properties from the  
23.30 improvement. No possible use of any of the properties in any manner different from their  
23.31 use under this chapter may be considered in determining the special benefit received by  
23.32 the properties. Notwithstanding section 272.01, subdivision 2, or 273.19, real or personal  
23.33 property which is subject to a lease or use agreement between the authority and another  
23.34 person for uses related to the purposes of this chapter, including the operation of the  
23.35 stadium and related parking facilities, is exempt from taxation regardless of the length of

24.1 the lease or use agreement or the characteristics of the entity leasing or using the property.  
24.2 This section, insofar as it provides an exemption or special treatment, does not apply to  
24.3 any real property that is leased for residential, business, or commercial development or to  
24.4 a restaurant that is open for general business more than 200 days a year, or other purposes  
24.5 different from those contemplated in this chapter.

24.6 Sec. 19. **[473J.21] LIQUOR LICENSES.**

24.7 At the request of the authority, the city may issue intoxicating liquor licenses that are  
24.8 reasonably requested for the premises of the stadium site. These licenses are in addition to  
24.9 the number authorized by law. All provisions of chapter 340A not inconsistent with this  
24.10 section apply to the licenses authorized under this section.

24.11 Sec. 20. **[473J.23] LOCAL TAXES.**

24.12 No new or additional local sales or use tax shall be imposed on sales at the stadium  
24.13 site unless the tax is applicable throughout the taxing jurisdiction. Except for a tax  
24.14 imposed under article 7, no new or additional local tax shall be imposed on sales of tickets  
24.15 and admissions to NFL team, NFL team owned major league soccer, or other team related  
24.16 events at the stadium, notwithstanding any law or ordinance, unless the tax is applicable  
24.17 throughout the taxing jurisdiction. The admissions and amusements tax currently imposed  
24.18 by the city of Minneapolis pursuant to Laws 1969, chapter 1092, may apply to admissions  
24.19 for football and NFL team related events, including NFL team owned major league soccer,  
24.20 as provided in section 473J.15, subdivision 15, at the stadium.

24.21 Sec. 21. **[473J.25] METROPOLITAN SPORTS FACILITIES COMMISSION**  
24.22 **ASSETS; LIABILITIES TO AUTHORITY.**

24.23 Subdivision 1. **Authority expenses.** The Metropolitan Sports Facilities Commission  
24.24 shall pay the operating expenses of the authority including salaries, compensation, and  
24.25 other personnel, office, equipment, consultant and any other costs, until the commission is  
24.26 abolished pursuant to subdivision 3.

24.27 Subd. 2. **Transfer.** Within 90 days of the enactment of this chapter, the Metropolitan  
24.28 Sports Facilities Commission shall pay its outstanding obligations, settle its accounts, and  
24.29 transfer its remaining assets, liabilities, and obligations to the authority, for its purposes.

24.30 Subd. 3. **Metropolitan Sports Facilities Commission abolished; interim powers**  
24.31 **conferred on authority.** Upon transfer to the authority of all remaining assets, liabilities,  
24.32 and obligations of the Metropolitan Sports Facilities Commission, in subdivision 2, the  
24.33 Metropolitan Sports Facilities Commission is abolished. When the remaining assets,



25.1 liabilities, and obligations of the Metropolitan Sports Facilities Commission have been  
 25.2 transferred to the authority and the commission has been abolished, the powers and duties  
 25.3 of the commission under sections 473.551 to 473.599, and any other law shall devolve  
 25.4 upon the authority, in addition to the powers and duties of the authority under chapter  
 25.5 473J, until the first NFL home game is played at the stadium.

25.6 Subd. 4. **Employees.** Upon transfer of ownership all persons employed by the  
 25.7 Metropolitan Sports Facilities Commission shall be transferred to the Minnesota Stadium  
 25.8 Authority without loss of right or privilege. Nothing in this section shall be construed to  
 25.9 give any such person the right or privilege to continue in the same level or classification  
 25.10 of employment previously held. The Minnesota Stadium Authority may assign any such  
 25.11 person to an employment level and classification which it deems appropriate and desirable  
 25.12 in accordance with its personnel code.

25.13 Sec. 22. **EFFECTIVE DATE.**

25.14 Except as otherwise provided, this article is effective the day following final  
 25.15 enactment.

## 25.16 **ARTICLE 2**

### 25.17 **STATE STADIUM FUNDING**

25.18 Section 1. **[16A.965] STADIUM APPROPRIATION BONDS.**

25.19 Subdivision 1. **Definitions.** (a) The definitions in this subdivision and in chapter  
 25.20 473J apply to this section.

25.21 (b) "Appropriation bond" means a bond, note, or other similar instrument of the state  
 25.22 payable during a biennium from one or more of the following sources:

25.23 (1) money appropriated by law from the general fund, including, without limitation,  
 25.24 revenues deposited in the general fund as provided in articles 4 and 5, in any biennium for  
 25.25 debt service due with respect to obligations described in subdivision 2, paragraph (b);

25.26 (2) proceeds of the sale of obligations described in subdivision 2, paragraph (b);

25.27 (3) payments received for that purpose under agreements and ancillary arrangements  
 25.28 described in subdivision 2, paragraph (d); and

25.29 (4) investment earnings on amounts in clauses (1) to (3).

25.30 (c) "Debt service" means the amount payable in any biennium of principal, premium,  
 25.31 if any, and interest on appropriation bonds.

25.32 Subd. 2. **Authorization to issue appropriation bonds.** (a) Subject to the limitations  
 25.33 of this subdivision, the commissioner may sell and issue appropriation bonds of the state  
 25.34 under this section for public purposes as provided by law, including, in particular, the

26.1 financing of all or a portion of the acquisition, construction, improving, and equipping  
26.2 of the stadium project of the Minnesota Stadium Authority as provided by chapter 473J.  
26.3 Proceeds of the appropriation bonds must be credited to a special appropriation stadium  
26.4 bond proceeds fund in the state treasury. Net income from investment of the proceeds,  
26.5 as estimated by the commissioner, must be credited to the special appropriation stadium  
26.6 bond proceeds fund.

26.7 (b) Appropriation bonds may be sold and issued in amounts that, in the opinion of  
26.8 the commissioner, are necessary to provide sufficient funds, not to exceed \$548,000,000  
26.9 net of costs of issuance, deposits for debt service reserve funds, and costs of credit  
26.10 enhancement for achieving the purposes authorized as provided under paragraph (a), and  
26.11 pay debt service, pay costs of issuance, make deposits to reserve funds, pay the costs  
26.12 of credit enhancement, or make payments under other agreements entered into under  
26.13 paragraph (d); provided, however, that appropriation bonds issued and unpaid shall not  
26.14 exceed \$650,000,000 in principal amount, excluding refunding bonds sold and issued  
26.15 under subdivision 4.

26.16 (c) Appropriation bonds may be issued from time to time in one or more series on  
26.17 the terms and conditions the commissioner determines to be in the best interests of the  
26.18 state, but the term on any series of appropriation bonds may not exceed 30 years. The  
26.19 appropriation bonds of each issue and series thereof shall be dated and bear interest,  
26.20 and may be includable in or excludable from the gross income of the owners for federal  
26.21 income tax purposes.

26.22 (d) At the time of, or in anticipation of, issuing the appropriation bonds, and at any  
26.23 time thereafter, so long as the appropriation bonds are outstanding, the commissioner may  
26.24 enter into agreements and ancillary arrangements relating to the appropriation bonds,  
26.25 including but not limited to trust indentures, grant agreements, lease or use agreements,  
26.26 operating agreements, management agreements, liquidity facilities, remarketing or  
26.27 dealer agreements, letter of credit agreements, insurance policies, guaranty agreements,  
26.28 reimbursement agreements, indexing agreements, or interest exchange agreements. Any  
26.29 payments made or received according to the agreement or ancillary arrangement shall be  
26.30 made from or deposited as provided in the agreement or ancillary arrangement. The  
26.31 determination of the commissioner included in an interest exchange agreement that the  
26.32 agreement relates to an appropriation bond shall be conclusive.

26.33 (e) The commissioner may enter into written agreements or contracts relating to the  
26.34 continuing disclosure of information necessary to comply with, or facilitate the issuance  
26.35 of appropriation bonds in accordance with federal securities laws, rules, and regulations,  
26.36 including Securities and Exchange Commission rules and regulations in Code of Federal

27.1 Regulations, title 17, section 240.15c 2-12. An agreement may be in the form of covenants  
27.2 with purchasers and holders of appropriation bonds set forth in the order or resolution  
27.3 authorizing the issuance of the appropriation bonds, or a separate document authorized  
27.4 by the order or resolution.

27.5 (f) The appropriation bonds are not subject to chapter 16C.

27.6 Subd. 3. **Form; procedure.** (a) Appropriation bonds may be issued in the form  
27.7 of bonds, notes, or other similar instruments, and in the manner provided in section  
27.8 16A.672. In the event that any provision of section 16A.672 conflicts with this section,  
27.9 this section shall control.

27.10 (b) Every appropriation bond shall include a conspicuous statement of the limitation  
27.11 established in subdivision 6.

27.12 (c) Appropriation bonds may be sold at either public or private sale upon such terms  
27.13 as the commissioner shall determine are not inconsistent with this section and may be sold  
27.14 at any price or percentage of par value. Any bid received may be rejected.

27.15 (d) Appropriation bonds must bear interest at a fixed or variable rate.

27.16 (e) Notwithstanding any other law, appropriation bonds issued under this section  
27.17 shall be fully negotiable.

27.18 Subd. 4. **Refunding bonds.** The commissioner from time to time may issue  
27.19 appropriation bonds for the purpose of refunding any appropriation bonds then  
27.20 outstanding, including the payment of any redemption premiums on the bonds, any  
27.21 interest accrued or to accrue to the redemption date, and costs related to the issuance and  
27.22 sale of the refunding bonds. The proceeds of any refunding bonds may, in the discretion of  
27.23 the commissioner, be applied to the purchase or payment at maturity of the appropriation  
27.24 bonds to be refunded, to the redemption of the outstanding appropriation bonds on any  
27.25 redemption date, or to pay interest on the refunding bonds and may, pending application,  
27.26 be placed in escrow to be applied to the purchase, payment, retirement, or redemption. Any  
27.27 escrowed proceeds, pending such use, may be invested and reinvested in obligations that  
27.28 are authorized investments under section 11A.24. The income earned or realized on the  
27.29 investment may also be applied to the payment of the appropriation bonds to be refunded  
27.30 or interest or premiums on the refunded appropriation bonds, or to pay interest on the  
27.31 refunding bonds. After the terms of the escrow have been fully satisfied, any balance of the  
27.32 proceeds and any investment income may be returned to the general fund or, if applicable,  
27.33 the special appropriation stadium bond proceeds fund for use in any lawful manner. All  
27.34 refunding bonds issued under this subdivision must be prepared, executed, delivered, and  
27.35 secured by appropriations in the same manner as the appropriation bonds to be refunded.

28.1 Subd. 5. **Appropriation bonds as legal investments.** Any of the following entities  
28.2 may legally invest any sinking funds, money, or other funds belonging to them or under  
28.3 their control in any appropriation bonds issued under this section:

28.4 (1) the state, the investment board, public officers, municipal corporations, political  
28.5 subdivisions, and public bodies;

28.6 (2) banks and bankers, savings and loan associations, credit unions, trust companies,  
28.7 savings banks and institutions, investment companies, insurance companies, insurance  
28.8 associations, and other persons carrying on a banking or insurance business; and

28.9 (3) personal representatives, guardians, trustees, and other fiduciaries.

28.10 Subd. 6. **No full faith and credit; state not required to make appropriations.**

28.11 The appropriation bonds are not public debt of the state, and the full faith, credit, and  
28.12 taxing powers of the state are not pledged to the payment of the appropriation bonds or to  
28.13 any payment that the state agrees to make under this section. Appropriation bonds shall  
28.14 not be obligations paid directly, in whole or in part, from a tax of statewide application  
28.15 on any class of property, income, transaction, or privilege. Appropriation bonds shall be  
28.16 payable in each fiscal year only from amounts that the legislature may appropriate for debt  
28.17 service for any fiscal year, provided that nothing in this section shall be construed to  
28.18 require the state to appropriate funds sufficient to make debt service payments with respect  
28.19 to the appropriation bonds in any fiscal year. Appropriation bonds shall be canceled and  
28.20 shall no longer be outstanding on the earlier of (1) the first day of a fiscal year for which  
28.21 the legislature shall not have appropriated amounts sufficient for debt service, or (2) the  
28.22 date of final payment of the principal of and interest on the appropriation bonds.

28.23 Subd. 7. **Appropriation of proceeds.** The proceeds of appropriation bonds and  
28.24 interest credited to the special appropriation stadium bond proceeds fund are appropriated  
28.25 to the commissioner for payment of capital expenses, debt service on outstanding  
28.26 indebtedness of the state, operating and capital reserves of the authority, and the funding  
28.27 of debt service reserves for the appropriation bonds, each as permitted by state and federal  
28.28 law, and nonsalary expenses incurred in conjunction with the sale of the appropriation  
28.29 bonds, and such proceeds may be granted, loaned, or otherwise provided to the authority  
28.30 for the public purpose provided by subdivision 2, paragraph (a).

28.31 Subd. 8. **Commissioner; determination of available revenues.** (a) By March 15  
28.32 of each fiscal year, the commissioner, in consultation with the commissioner of revenue,  
28.33 shall determine the estimated increase in revenues received from taxes imposed under  
28.34 chapter 297E over the estimated revenues under the February 2012 revenue forecast for  
28.35 that fiscal year. For fiscal years after fiscal year 2015, the commissioner shall use the

29.1 February 2012 revenue forecast for fiscal year 2015 as the baseline. All calculations under  
29.2 this paragraph must be made net of estimated refunds of the taxes required to be paid.

29.3 (b) Available revenues for purposes of subdivision 9, equal the amount determined  
29.4 under paragraph (a), less the following amounts for the fiscal year:

29.5 (1) the appropriation to principal and interest on appropriation bonds under  
29.6 subdivision 9, paragraph (a);

29.7 (2) the appropriations under article 5, section 44, paragraph (a), for administration  
29.8 and any successor appropriation;

29.9 (3) the reduction in revenues resulting from the sales tax exemptions under section  
29.10 297A.71, subdivisions 43 and 44;

29.11 (4) reimbursements authorized by section 473J.15, subdivision 2; and

29.12 (5) payment of compulsive gambling appropriations under article 5, section 44,  
29.13 paragraph (b), and any successor appropriation.

29.14 (c) If the estimated increase in revenues under paragraph (a) for the fiscal year are  
29.15 less than or equal to \$52,000,000, then available revenues, as determined under paragraph  
29.16 (b), are allocated:

29.17 (1) 50 percent to be used for appropriations under subdivision 9, paragraph (a); and

29.18 (2) 50 percent to be used for appropriations under subdivision 9, paragraph (b)

29.19 (d) If the estimated increase in revenues under paragraph (a) for the fiscal year are  
29.20 greater than \$52,000,000, the first \$16,000,000 of any available revenues, as determined  
29.21 under paragraph (b), is allocated as provided under paragraph (c), clauses (1) and (2), and  
29.22 the remainder is allocated for payment of gambling tax rebates under section 297E.02,  
29.23 subdivision 12.

29.24 (e) The provisions of this subdivision apply only after the issuance of appropriation  
29.25 bonds under subdivision 2.

29.26 Subd. 9. **Appropriation for debt service and other purposes.** (a) The amount  
29.27 needed to pay principal and interest on appropriation bonds issued under this section is  
29.28 appropriated each year from the general fund to the commissioner, subject to repeal,  
29.29 unallotment under section 16A.152, or cancellation otherwise pursuant to subdivision 6,  
29.30 for deposit into the bond payment accounts established for such purpose in the special  
29.31 appropriation stadium bond proceeds fund.

29.32 (b) To the extent the commissioner determines revenues are available under the  
29.33 provisions of subdivision 8, paragraph (b), for the fiscal year, the following amounts  
29.34 are appropriated from the general fund:

30.1 (1) to replenish the amount on deposit in any debt service reserve account established  
30.2 with respect to the appropriation bonds to the debt service reserve requirement amount as  
30.3 determined by order of the commissioner; and

30.4 (2) to the extent not required under clause (1), for deposit to any general reserve  
30.5 account established by order of the commissioner for application against any shortfall in  
30.6 the amounts deposited to the general fund pursuant to section 297A.994.

30.7 Subd. 10. **Waiver of immunity.** The waiver of immunity by the state provided for  
30.8 by section 3.751, subdivision 1, shall be applicable to the appropriation bonds and any  
30.9 ancillary contracts to which the commissioner is a party.

30.10 Subd. 11. **Validation.** (a) Appropriation bonds issued under this section may be  
30.11 validated in the manner provided by this subdivision. If comparable appropriation bonds  
30.12 are judicially determined to be valid, nothing in this subdivision shall be construed  
30.13 to prevent the sale or delivery of any appropriation bonds or notes without entry of a  
30.14 judgment of validation by the Minnesota Supreme Court pursuant to this subdivision with  
30.15 respect to the appropriation bonds authorized under this section.

30.16 (b) Any appropriation bonds issued under this section that are validated shall be  
30.17 validated in the manner provided by this subdivision.

30.18 (c) The Minnesota Supreme Court shall have original jurisdiction to determine the  
30.19 validation of appropriation bonds and all matters connected therewith.

30.20 (d) The commissioner may determine the commissioner's authority to issue  
30.21 appropriation bonds and the legality of all proceedings in connection with issuing bonds.  
30.22 For this purpose, a complaint shall be filed by the commissioner in the Minnesota Supreme  
30.23 Court against the state and the taxpayers and citizens.

30.24 (e) As a condition precedent to filing of a complaint for the validation of  
30.25 appropriation bonds, the commissioner shall take action providing for the issuance of  
30.26 appropriation bonds in accordance with law.

30.27 (f) The complaint shall set out the state's authority to issue appropriation bonds, the  
30.28 action or proceeding authorizing the issue and its adoption, all other essential proceedings  
30.29 had or taken in connection with issuing bonds, the amount of the appropriation bonds to  
30.30 be issued and the maximum interest they are to bear, and all other pertinent matters.

30.31 (g) The Minnesota Supreme Court shall issue an order directed against the state and  
30.32 taxpayers, citizens, and others having or claiming any right, title, or interest affected by  
30.33 the issuance of appropriation bonds, or to be affected by the bonds, allowing all persons,  
30.34 in general terms and without naming them, and the state through its attorney general, to  
30.35 appear before the Minnesota Supreme Court at a designated time and place and show  
30.36 why the complaint should not be granted and the proceedings and appropriation bonds

31.1 validated. A copy of the complaint and order shall be served on the attorney general at  
31.2 least 20 days before the time fixed for hearing. The attorney general shall examine the  
31.3 complaint, and, if it appears or there is reason to believe that it is defective, insufficient, or  
31.4 untrue, or if in the opinion of the attorney general the issuance of the appropriation bonds  
31.5 in question has not been duly authorized, defense shall be made by the attorney general as  
31.6 the attorney general deems appropriate.

31.7 (h) Before the date set for hearing, as directed by the Minnesota Supreme Court,  
31.8 either the clerk of the Minnesota appellate courts or the commissioner shall publish a copy  
31.9 of the order in a legal newspaper of general circulation in Ramsey County and the state, at  
31.10 least once each week for two consecutive weeks, commencing with the first publication,  
31.11 which shall not be less than 20 days before the date set for hearing. By this publication,  
31.12 all taxpayers, citizens, and others having or claiming any right, title, or interest in the  
31.13 state, are made parties defendant to the action and the Minnesota Supreme Court has  
31.14 jurisdiction of them to the same extent as if named as defendants in the complaint and  
31.15 personally served with process.

31.16 (i) Any taxpayer, citizen, or person interested may become a party to the action by  
31.17 moving against or pleading to the complaint at or before the time set for hearing. The  
31.18 Minnesota Supreme Court shall determine all questions of law and fact and make orders  
31.19 that will enable it to properly try and determine the action and render a final judgment  
31.20 within 30 days of the hearing with the least possible delay.

31.21 (j) If the judgment validates appropriation bonds, the judgment is forever conclusive  
31.22 as to all matters adjudicated and as against all parties affected and all others having or  
31.23 claiming any right, title, or interest affected by the issuance of appropriation bonds, or to  
31.24 be affected in any way by issuing the bonds, and the validity of appropriation bonds or of  
31.25 any revenues pledged for the payment of the bonds, or of the proceedings authorizing the  
31.26 issuance of the bonds, including any remedies provided for their collection, shall never  
31.27 be called in question in any court by any person or party.

31.28 (k)(1) Appropriation bonds, when validated under this section, shall have stamped  
31.29 or written on the bonds, by the proper officers of the state issuing them, a statement  
31.30 in substantially the following form: "This appropriation bond is one of a series of  
31.31 appropriation bonds which were validated by judgment of the Supreme Court of the State  
31.32 of Minnesota, rendered on ..... , ..... (year)"

31.33 (2) A certified copy of the judgment or decree shall be received as evidence in any  
31.34 court in this state.

32.1 (l) The costs shall be paid by the state, except when a taxpayer, citizen, or other  
 32.2 person contests the action or intervenes, the court may tax the whole or any part of the  
 32.3 costs against the person that is equitable.

32.4 (m) A justice of the Minnesota Supreme Court is not disqualified in any validation  
 32.5 action because the justice is a landowner or taxpayer of the state.

32.6 Sec. 2. **APPROPRIATION.**

32.7 If state appropriation bonds have not been issued under Minnesota Statutes, section  
 32.8 16A.965, amounts not to exceed the increased revenues estimated by the commissioner  
 32.9 of management and budget under Minnesota Statutes, section 16A.965, subdivision 8,  
 32.10 paragraph (a), are appropriated to the commissioner of management and budget to make  
 32.11 grants to the Minnesota Stadium Authority for stadium costs as defined under Minnesota  
 32.12 Statutes, section 473J.03, subdivision 8.

### 32.13 **ARTICLE 3**

#### 32.14 **CONFORMING CHANGES**

32.15 Section 1. Minnesota Statutes 2010, section 3.971, subdivision 6, is amended to read:

32.16 Subd. 6. **Financial audits.** The legislative auditor shall audit the financial  
 32.17 statements of the state of Minnesota required by section 16A.50 and, as resources permit,  
 32.18 shall audit Minnesota State Colleges and Universities, the University of Minnesota, state  
 32.19 agencies, departments, boards, commissions, courts, and other state organizations subject  
 32.20 to audit by the legislative auditor, including the State Agricultural Society, Agricultural  
 32.21 Utilization Research Institute, Enterprise Minnesota, Inc., Minnesota Historical  
 32.22 Society, Labor Interpretive Center, Minnesota Partnership for Action Against Tobacco,  
 32.23 ~~Metropolitan Sports Facilities Commission,~~ Metropolitan Airports Commission, and  
 32.24 Metropolitan Mosquito Control District. Financial audits must be conducted according to  
 32.25 generally accepted government auditing standards. The legislative auditor shall see that  
 32.26 all provisions of law respecting the appropriate and economic use of public funds are  
 32.27 complied with and may, as part of a financial audit or separately, investigate allegations  
 32.28 of noncompliance.

32.29 Sec. 2. Minnesota Statutes 2010, section 13.55, subdivision 1, is amended to read:

32.30 Subdivision 1. **Not public classification.** The following data received, created, or  
 32.31 maintained by or for publicly owned and operated convention facilities, or civic center  
 32.32 authorities, ~~or the Metropolitan Sports Facilities Commission~~ are classified as nonpublic



33.1 data pursuant to section 13.02, subdivision 9; or private data on individuals pursuant  
33.2 to section 13.02, subdivision 12:

33.3 (a) a letter or other documentation from any person who makes inquiry to or who is  
33.4 contacted by the facility regarding the availability of the facility for staging events;

33.5 (b) identity of firms and corporations which contact the facility;

33.6 (c) type of event which they wish to stage in the facility;

33.7 (d) suggested terms of rentals; and

33.8 (e) responses of authority staff to these inquiries.

33.9 Sec. 3. Minnesota Statutes 2011 Supplement, section 340A.404, subdivision 1, is  
33.10 amended to read:

33.11 Subdivision 1. **Cities.** (a) A city may issue an on-sale intoxicating liquor license to  
33.12 the following establishments located within its jurisdiction:

33.13 (1) hotels;

33.14 (2) restaurants;

33.15 (3) bowling centers;

33.16 (4) clubs or congressionally chartered veterans organizations with the approval of  
33.17 the commissioner, provided that the organization has been in existence for at least three  
33.18 years and liquor sales will only be to members and bona fide guests, except that a club  
33.19 may permit the general public to participate in a wine tasting conducted at the club under  
33.20 section 340A.419; and

33.21 ~~(5) sports facilities located on land owned by the Metropolitan Sports Commission;~~  
33.22 ~~and~~

33.23 ~~(6) exclusive liquor stores.~~

33.24 (b) A city may issue an on-sale intoxicating liquor license, an on-sale wine license,  
33.25 or an on-sale malt liquor license to a theater within the city, notwithstanding any law, local  
33.26 ordinance, or charter provision. A license issued under this paragraph authorizes sales on  
33.27 all days of the week to persons attending events at the theater.

33.28 (c) A city may issue an on-sale intoxicating liquor license, an on-sale wine license,  
33.29 or an on-sale malt liquor license to a convention center within the city, notwithstanding  
33.30 any law, local ordinance, or charter provision. A license issued under this paragraph  
33.31 authorizes sales on all days of the week to persons attending events at the convention  
33.32 center. This paragraph does not apply to convention centers located in the seven-county  
33.33 metropolitan area.

33.34 (d) A city may issue an on-sale wine license and an on-sale malt liquor license to  
33.35 a person who is the owner of a summer collegiate league baseball team, or to a person

34.1 holding a concessions or management contract with the owner, for beverage sales at a  
34.2 ballpark or stadium located within the city for the purposes of summer collegiate league  
34.3 baseball games at the ballpark or stadium, notwithstanding any law, local ordinance, or  
34.4 charter provision. A license issued under this paragraph authorizes sales on all days of the  
34.5 week to persons attending baseball games at the ballpark or stadium.

34.6 Sec. 4. Minnesota Statutes 2010, section 352.01, subdivision 2a, is amended to read:

34.7 Subd. 2a. **Included employees.** (a) "State employee" includes:

34.8 (1) employees of the Minnesota Historical Society;

34.9 (2) employees of the State Horticultural Society;

34.10 (3) employees of the Minnesota Crop Improvement Association;

34.11 (4) employees of the adjutant general whose salaries are paid from federal funds and  
34.12 who are not covered by any federal civilian employees retirement system;

34.13 (5) employees of the Minnesota State Colleges and Universities who are employed  
34.14 under the university or college activities program;

34.15 (6) currently contributing employees covered by the system who are temporarily  
34.16 employed by the legislature during a legislative session or any currently contributing  
34.17 employee employed for any special service as defined in subdivision 2b, clause (8);

34.18 (7) employees of the legislature who are appointed without a limit on the duration  
34.19 of their employment and persons employed or designated by the legislature or by a  
34.20 legislative committee or commission or other competent authority to conduct a special  
34.21 inquiry, investigation, examination, or installation;

34.22 (8) trainees who are employed on a full-time established training program  
34.23 performing the duties of the classified position for which they will be eligible to receive  
34.24 immediate appointment at the completion of the training period;

34.25 (9) employees of the Minnesota Safety Council;

34.26 (10) any employees who are on authorized leave of absence from the Transit  
34.27 Operating Division of the former Metropolitan Transit Commission and who are employed  
34.28 by the labor organization which is the exclusive bargaining agent representing employees  
34.29 of the Transit Operating Division;

34.30 (11) employees of the Metropolitan Council, Metropolitan Parks and Open Space  
34.31 Commission, ~~Metropolitan Sports Facilities Commission~~, or Metropolitan Mosquito  
34.32 Control Commission unless excluded under subdivision 2b or are covered by another  
34.33 public pension fund or plan under section 473.415, subdivision 3;

34.34 (12) judges of the Tax Court;

35.1 (13) personnel who were employed on June 30, 1992, by the University of  
 35.2 Minnesota in the management, operation, or maintenance of its heating plant facilities,  
 35.3 whose employment transfers to an employer assuming operation of the heating plant  
 35.4 facilities, so long as the person is employed at the University of Minnesota heating plant  
 35.5 by that employer or by its successor organization;

35.6 (14) personnel who are employed as seasonal employees in the classified or  
 35.7 unclassified service;

35.8 (15) persons who are employed by the Department of Commerce as a peace officer  
 35.9 in the Insurance Fraud Prevention Division under section 45.0135 who have attained the  
 35.10 mandatory retirement age specified in section 43A.34, subdivision 4;

35.11 (16) employees of the University of Minnesota unless excluded under subdivision  
 35.12 2b, clause (3);

35.13 (17) employees of the Middle Management Association whose employment began  
 35.14 after July 1, 2007, and to whom section 352.029 does not apply; and

35.15 (18) employees of the Minnesota Government Engineers Council to whom section  
 35.16 352.029 does not apply.

35.17 (b) Employees specified in paragraph (a), clause (13), are included employees under  
 35.18 paragraph (a) if employer and employee contributions are made in a timely manner in the  
 35.19 amounts required by section 352.04. Employee contributions must be deducted from  
 35.20 salary. Employer contributions are the sole obligation of the employer assuming operation  
 35.21 of the University of Minnesota heating plant facilities or any successor organizations to  
 35.22 that employer.

35.23 Sec. 5. Minnesota Statutes 2010, section 473.121, subdivision 5a, is amended to read:

35.24 Subd. 5a. **Metropolitan agency.** "Metropolitan agency" means the Metropolitan  
 35.25 Parks and Open Space Commission, and the Metropolitan Airports Commission, ~~and~~  
 35.26 ~~Metropolitan Sports Facilities Commission.~~

35.27 Sec. 6. Minnesota Statutes 2010, section 473.164, is amended to read:

35.28 **473.164 SPORTS, AIRPORT COMMISSIONS TO PAY COUNCIL COSTS.**

35.29 Subdivision 1. **Annually reimburse.** ~~The Metropolitan Sports Facilities~~  
 35.30 ~~Commission and the~~ Metropolitan Airports Commission shall annually reimburse the  
 35.31 council for costs incurred by the council in the discharge of its responsibilities relating to  
 35.32 the commission. The costs may be charged against any revenue sources of the commission  
 35.33 as determined by the commission.

36.1 Subd. 2. **Estimates, budget, transfer.** On or before May 1 of each year, the council  
 36.2 shall transmit to ~~each~~ the commission an estimate of the costs which the council will  
 36.3 incur in the discharge of its responsibilities related to the commission in the next budget  
 36.4 year including, without limitation, costs in connection with the preparation, review,  
 36.5 implementation and defense of plans, programs and budgets of the commission. ~~Each~~ The  
 36.6 commission shall include the estimates in its budget for the next budget year and may  
 36.7 transmit its comments concerning the estimated amount to the council during the budget  
 36.8 review process. Prior to December 15 of each year, the amount budgeted by ~~each~~ the  
 36.9 commission for the next budget year may be changed following approval by the council.  
 36.10 During each budget year, the commission shall transfer budgeted funds to the council in  
 36.11 advance when requested by the council.

36.12 Subd. 3. **Final statement.** At the conclusion of each budget year, the council, in  
 36.13 cooperation with ~~each~~ the commission, shall adopt a final statement of costs incurred by the  
 36.14 council for ~~each~~ the commission. Where costs incurred in the budget year have exceeded  
 36.15 the amount budgeted, ~~each~~ the commission shall transfer to the council the additional  
 36.16 moneys needed to pay the amount of the costs in excess of the amount budgeted, and shall  
 36.17 include a sum in its next budget. Any excess of budgeted costs over actual costs may be  
 36.18 retained by the council and applied to the payment of budgeted costs in the next year.

36.19 Sec. 7. Minnesota Statutes 2010, section 473.565, subdivision 1, is amended to read:

36.20 Subdivision 1. **In MSRS; exceptions.** All employees of the former commission  
 36.21 shall be members of the Minnesota State Retirement System with respect to service  
 36.22 rendered on or after May 17, 1977, except as provided in this section.

36.23 Sec. 8. **REPEALER.**

36.24 Minnesota Statutes 2010, sections 473.551; 473.552; 473.553, subdivisions 1, 2, 3,  
 36.25 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13; 473.556, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
 36.26 13, 14, 16, and 17; 473.561; 473.564, subdivisions 2 and 3; 473.572; 473.581; 473.592,  
 36.27 subdivision 1; 473.595; 473.598; 473.599; and 473.76, are repealed.

36.28 Sec. 9. **EFFECTIVE DATE.**

36.29 This article is effective June 30, 2016.

37.1 **ARTICLE 4**

37.2 **MINNEAPOLIS CONVENTION CENTER**

37.3 Section 1. **[297A.994] CITY OF MINNEAPOLIS SALES TAX; ALLOCATION**  
 37.4 **OF REVENUES.**

37.5 Subdivision 1. **Scope.** Notwithstanding the provisions of section 297A.99,  
 37.6 subdivision 11, the provisions of this section govern the remittance of the proceeds of  
 37.7 taxes imposed by the city of Minneapolis under the special law.

37.8 Subd. 2. **Definitions.** (a) For purposes of this section, the following definitions  
 37.9 apply.

37.10 (b) "City" means the city of Minneapolis.

37.11 (c) "Special law" means Laws 1986, chapter 396, sections 4 and 5, as amended.

37.12 (d) "Tax" means the sales taxes imposed by the city under the special law.

37.13 (e) The terms defined under section 473J.03 apply for purposes of this section.

37.14 Subd. 3. **General allocation of revenues.** The commissioner shall apply the  
 37.15 revenues from the taxes as follows:

37.16 (1) the commissioner must deduct the costs of collecting and administering the taxes,  
 37.17 according to the applicable law and agreements between the commissioner and the city.  
 37.18 For revenues from the general sales tax, the commissioner must deduct a proportionate  
 37.19 share of the cost of collection, as described in section 297A.99, subdivision 11;

37.20 (2) after deducting the costs in clause (1), the commissioner must deduct refunds of  
 37.21 any of these taxes due to taxpayers, if any;

37.22 (3) after making the deductions provided in clause (2), notwithstanding the  
 37.23 provisions of any agreement between the commissioner and the city providing for  
 37.24 collection and remittance of these taxes, the commissioner must deposit to the general  
 37.25 fund the amounts specified in subdivision 4; and

37.26 (4) after depositing to the general fund under clause (3) as specified in subdivision  
 37.27 4, the commissioner must remit the remainder to the city for the uses provided in the  
 37.28 special law.

37.29 Subd. 4. **General fund allocations.** (a) The commissioner must deposit to the  
 37.30 general fund the following amounts, as required by subdivision 3, clause (3):

37.31 (1) for state bond debt service support beginning in calendar year 2021, and for each  
 37.32 calendar year thereafter through calendar year 2046, proportionate amounts periodically  
 37.33 so that not later than December 31, 2046, an aggregate annual amount equal to a present  
 37.34 value of \$150,000,000 has been deposited in the general fund. To determine aggregate  
 37.35 present value, the commissioner must consult with the commissioner of management and  
 37.36 budget regarding the present value dates, discount rate or rates, and schedules of annual

38.1 amounts. The present value date or dates must be based on the date or dates bonds are  
38.2 sold under section 16A.965, or the date or dates other state funds, if any, are deposited  
38.3 into the construction fund. The discount rate or rates must be based on the true interest  
38.4 cost of the bonds issued under section 16A.965, or an equivalent 30-year bond index, as  
38.5 determined by the commissioner of management and budget. The schedule of annual  
38.6 amounts must be certified to the commissioner by the commissioner of management and  
38.7 budget and the finance officer of the city;

38.8 (2) for the capital improvement reserve appropriation to stadium authority beginning  
38.9 in calendar year 2021, and for each calendar year thereafter through calendar year 2046,  
38.10 so that not later than January 1, 2022, and as of January 1 of each following year, an  
38.11 aggregate annual amount equal to the amount paid by the state for calendar year 2021,  
38.12 under section 473J.13, subdivision 4, increased each year by an annual adjustment factor;

38.13 (3) for the operating expense appropriation to stadium authority beginning in  
38.14 calendar year 2021, and for each calendar year thereafter through calendar year 2046,  
38.15 so that not later than January 1, 2022, and as of January 1 of each following year, an  
38.16 aggregate annual amount equal to the amount paid by the state for calendar year 2021  
38.17 under section 473J.13, subdivision 2, increased each year by an annual adjustment factor;

38.18 (4) for recapture of NFL team advances for capital improvements and operating  
38.19 expenses for calendar years 2016 through 2020 beginning in calendar year 2021, and  
38.20 for each calendar year thereafter until all amounts under this clause have been paid,  
38.21 proportionate amounts periodically until an aggregate amount equal to the present value of  
38.22 all amounts paid by the NFL team have been deposited in the general fund. To determine  
38.23 the present value of the amounts paid by the NFL team to the authority and the present  
38.24 value of amounts deposited to the general fund under this clause, the commissioner shall  
38.25 consult with the commissioner of management and budget and the NFL team regarding the  
38.26 present value dates, discount rate or rates, and schedule of annual amounts. The present  
38.27 value dates must be based on the dates NFL team funds are paid to the authority, or the  
38.28 dates the commissioner of revenue deposits taxes for purposes of this clause to the general  
38.29 fund. The discount rates must be based on the reasonably equivalent cost of NFL team  
38.30 funds as determined by the commissioner of management and budget after consulting with  
38.31 the NFL team. The schedule of annual amounts must be revised to reflect amounts paid  
38.32 under article 1, section 11, subdivision 13, and taxes deposited to the general fund from  
38.33 time to time under this clause, and the schedule and revised schedules must be certified to  
38.34 the commissioner by the commissioner of management and budget and the finance officer  
38.35 of the city, and are transferred as accrued from the general fund to the NFL team, for  
38.36 repayment of advances made by the NFL team to the city of Minneapolis; and

39.1 (5) to capture increases in taxes imposed under the special law, for the benefit  
39.2 of the stadium authority, beginning in calendar year 2013 and for each calendar year  
39.3 thereafter through 2046, there shall be deposited to the general fund by February 15 of  
39.4 each following year, amounts calculated by the commissioner under this clause. For  
39.5 each year, the commissioner shall determine the excess, if any, of the taxes received  
39.6 by the commissioner over the benchmark scheduled amounts of the taxes, as described  
39.7 in this section. The benchmark scheduled amounts for each year must be based on the  
39.8 actual amount of the taxes for calendar year 2011 inflated for each subsequent year at an  
39.9 annual rate of two percent, according to a schedule certified to the commissioner by the  
39.10 commissioner of management and budget and the finance officer of the city. The amounts  
39.11 to be deposited to the general fund by the commissioner for each year equal:

39.12 (i) zero for the amount of the taxes for the year up to a scheduled benchmark of  
39.13 \$1,000,000, inflated at two percent per year, in excess of the taxes for calendar year 2011;

39.14 (ii) 50 percent times the difference, if any, by which the amount of the taxes for  
39.15 the year exceeds the scheduled benchmark in item (i), as inflated, but not greater than a  
39.16 scheduled benchmark of \$3,000,000, inflated at two percent per year, in excess of the  
39.17 taxes for calendar year 2011; and

39.18 (iii) 25 percent times the difference, if any, by which the amount of the taxes for the  
39.19 year exceeds the scheduled benchmark of \$3,000,000, inflated at two percent per year, in  
39.20 excess of the taxes for calendar year 2011.

39.21 (b) The annual adjustment factor for purposes of this section and the special law  
39.22 for any year equals the increase, if any, in the amount of these taxes received by the  
39.23 commissioner in the preceding year over the amount received in the year prior to the  
39.24 preceding year, expressed as a percentage of the amount received in the year prior to the  
39.25 preceding year; provided, that the adjustment factor for any year must not be less than  
39.26 zero percent nor more than five percent.

39.27 Sec. 2. Laws 1986, chapter 396, section 4, as amended by Laws 1987, chapter 55,  
39.28 sections 5 and 6, and Laws 2009, chapter 88, article 4, sections 11 and 12, is amended to  
39.29 read:

39.30 Sec. 4. **SALES AND USE TAX.**

39.31 Subdivision 1. **Imposition.** Notwithstanding Minnesota Statutes, section 477A.016,  
39.32 or any other contrary provision of law, ordinance, or city charter, upon approval by  
39.33 the city's board of estimate and taxation by a vote of at least five members, the city of  
39.34 Minneapolis may by ordinance impose an additional sales tax of up to one-half of one  
39.35 percent on sales taxable pursuant to Minnesota Statutes, chapter 297A that occur within

40.1 the city, and may also by ordinance impose an additional compensating use tax of up to  
40.2 one-half of one percent on uses of property within the city, the sale of which would be  
40.3 subject to the additional sales tax but for the fact such property was sold outside the city.  
40.4 The tax may not be imposed on gross receipts from sales of intoxicating liquor that are  
40.5 exempt from taxation under ~~sections 297A.25 to 297A.257 or other~~ any provision of  
40.6 chapter 297A exempting sales of intoxicating liquor and use from taxation, including  
40.7 amendments adopted after enactment of this act.

40.8 For purposes of this subdivision, sales that occur within the city shall not include (a)  
40.9 the sale of tangible personal property (i) which, without intermediate use, is shipped or  
40.10 transported outside Minneapolis by the purchaser and thereafter used in a trade or business  
40.11 or is stored, processed, fabricated or manufactured into, attached to or incorporated into  
40.12 other tangible personal property transported or shipped outside Minneapolis and thereafter  
40.13 used in a trade or business outside Minneapolis, and which is not thereafter returned to a  
40.14 point within Minneapolis, except in the course of interstate or intrastate commerce (storage  
40.15 shall not constitute intermediate use); or (ii) which the seller delivers to a common carrier  
40.16 for delivery outside Minneapolis, places in the United States mail or parcel post directed  
40.17 to the purchaser outside Minneapolis, or delivers to the purchaser outside Minneapolis by  
40.18 means of the seller's own delivery vehicles, and which is not thereafter returned to a point  
40.19 within Minneapolis, except in the course of interstate or intrastate commerce; or (b) sales  
40.20 which would be described in ~~clause (c) or (u) of Minnesota Statutes, section 297A.25,~~  
40.21 ~~subdivision 1~~ 297A.68, subdivision 11 or 16, if the word "Minneapolis" were substituted  
40.22 for the words "Minnesota" or "state of Minnesota" in such ~~clauses~~ subdivisions. ~~A tax~~  
40.23 ~~may be imposed under this section only if the taxes imposed under section 5 are imposed~~  
40.24 ~~at the maximum rate allowed under that section.~~ The tax authorized by this section shall  
40.25 be imposed; until December 31, 2046. The tax may be imposed and may be adjusted  
40.26 periodically by the city council in conformity with Minnesota Statutes, section 297A.99,  
40.27 subdivision 12, such that the rate imposed, rounded to the next highest one-tenth of one  
40.28 percent, ~~does not exceed the rate estimated to be required to produce~~ produces revenue  
40.29 sufficient to finance the ~~costs~~ purposes described in ~~subdivision~~ subdivisions 3 and 4, but  
40.30 in no case may the rate exceed one-half of one percent.

40.31 Subd. 2. **Enforcement; collection.** (a) Except as provided in paragraph (b),  
40.32 these taxes shall be subject to the same interest penalties and other rules imposed  
40.33 under Minnesota Statutes, chapter 297A. The commissioner of revenue may enter into  
40.34 appropriate agreements with the city to provide for collection of these taxes by the state  
40.35 on behalf of the city. The commissioner may charge the city a reasonable fee for its



41.1 collection from the proceeds of any taxes, as provided in Minnesota Statutes, section  
 41.2 297A.99, subdivision 9.

41.3 (b) A taxpayer located outside of the city of Minneapolis who collects use tax under  
 41.4 this section in an amount that does not exceed \$10 in a reporting period is not required to  
 41.5 remit that tax until the amount of use tax collected is \$10.

41.6 Subd. 3. **Use of property.** Revenues received from the tax may only be used:

41.7 ~~(1) to pay costs of collection;~~

41.8 ~~(2)~~ (1) to pay or secure the payment of any principal of, premium or interest on  
 41.9 bonds issued in accordance with this act;

41.10 ~~(3)~~ (2) to pay costs to acquire, design, equip, construct, improve, maintain, operate,  
 41.11 administer, or promote the convention center or related facilities, and other capital projects  
 41.12 or economic developments under subdivision 4, including financing costs related to them;

41.13 ~~(4)~~ (3) to pay reasonable and appropriate costs determined by the city to replace  
 41.14 housing and the ice arena removed from the site;

41.15 ~~(5)~~ (4) to maintain reserves for the foregoing purposes deemed reasonable and  
 41.16 appropriate by the city; and

41.17 ~~(6)~~ (5) to fund projects and for other purposes under subdivision 4.

41.18 Money for replacement housing shall be made available by the city only for new  
 41.19 construction, conversion of nonresidential buildings, and for rehabilitation of vacant  
 41.20 residential structures, only if all of the units in the newly constructed building, converted  
 41.21 nonresidential building, or rehabilitated residential structure are to be used for replacement  
 41.22 housing.

41.23 Subd. 4. **Minneapolis downtown and neighborhood projects.** (a) For revenues  
 41.24 collected in calendar years 2009 and 2010, to the extent that revenues from the tax  
 41.25 authorized in subdivision 1 exceeds the amount needed to fund the purposes in subdivision  
 41.26 3, the city may use the excess revenue to fund any city services. The total amount used in  
 41.27 both years for this purpose may not exceed the total amount of aid and credit reductions  
 41.28 under Minnesota Statutes, sections 273.1384 and 477A.011 to 477A.014 in calendar years  
 41.29 2008, 2009, and 2010 due to a governor's unallotment or due to statutory reductions.

41.30 (b) Beginning with revenues collected in calendar year 2011, to the extent that  
 41.31 revenues from the ~~tax~~ taxes authorized in subdivision 1 ~~exceeds~~ or in section 5 exceed  
 41.32 the amount needed to fund the purposes in subdivision 3, the city may use the excess  
 41.33 revenue in any year to fund capital projects to further residential, cultural, commercial,  
 41.34 and economic development in both downtown Minneapolis and the Minneapolis  
 41.35 neighborhoods, to fund other city expenditures in support of the capital projects, or  
 41.36 for other economic development, provided the city may direct excess revenue first to

42.1 convention center debt, operations, capital improvements, and marketing. The city may  
 42.2 issue bonds to fund any such projects or improvements using these taxes or any other  
 42.3 available city resources to finance or secure the bonds.

42.4 Sec. 3. Laws 1986, chapter 396, section 5, as amended by Laws 2001, First Special  
 42.5 Session chapter 5, article 12, section 87, is amended to read:

42.6 Sec. 5. **LIQUOR, LODGING, AND RESTAURANT TAXES.**

42.7 The city may, by resolution, levy in addition to taxes authorized by other law:

42.8 (1) a sales tax of not more than three percent on the gross receipts on retail on-sales  
 42.9 of intoxicating liquor and fermented malt beverages ~~described in section 473.592~~  
 42.10 ~~occurring in the~~ when sold at licensed on-sale liquor establishments and municipal liquor  
 42.11 stores located within the downtown taxing area, provided that this tax may not be imposed  
 42.12 if sales of intoxicating liquor and fermented malt beverages are exempt from taxation  
 42.13 under chapter 297A;

42.14 (2) a sales tax of not more than three percent on the gross receipts from the furnishing  
 42.15 for consideration of lodging ~~described in section 473.592~~ for a period of less than 30 days  
 42.16 at a hotel, motel, rooming house, tourist court, or trailer camp located within the city by a  
 42.17 hotel or motel which has more than 50 rooms available for lodging; the tax imposed under  
 42.18 this clause shall be at a rate that, when added to the sum of the rate of the sales tax imposed  
 42.19 under Minnesota Statutes, chapter 297A, the rate of the sales tax imposed under section 4,  
 42.20 and the rate of any other taxes on lodging in the city of Minneapolis, equals 13 percent; and

42.21 (3) a sales tax of not more than three percent on the gross receipts on all sales of food  
 42.22 primarily for consumption on or off the premises by restaurants and places of refreshment  
 42.23 as defined by resolution of the city that occur within the downtown taxing area.

42.24 The taxes authorized by this section shall be imposed until January 1, 2047. The taxes  
 42.25 shall be imposed and may be adjusted periodically by the city council such that the rates  
 42.26 imposed, produce revenue sufficient, together with the tax imposed under section 4, to  
 42.27 finance the purposes described in section 4, subdivisions 3 and 4. These taxes shall be  
 42.28 applied, first, as provided in Minnesota Statutes, section 297A.994, subdivision 3, clauses  
 42.29 (1) to (3), and then, solely to pay costs of collection and to pay or, secure, maintain, and  
 42.30 fund the payment of any principal of, premium on, and interest on any bonds or any  
 42.31 ~~costs referred to other purposes~~ in section 4, subdivision 3 or 4. The commissioner of  
 42.32 revenue may enter into appropriate agreements with the city to provide for the collection  
 42.33 of these taxes by the state on behalf of the city. The commissioner may charge the city  
 42.34 a reasonable fee for its collection from the proceeds of any taxes. These taxes shall be

43.1 subject to the same interest penalties and enforcement provisions as the taxes imposed  
43.2 under ~~section 473.592~~ chapter 297A.

43.3 **Sec. 4. CHARTER LIMITATIONS NOT TO APPLY.**

43.4 Any amounts expended, indebtedness or obligation incurred including, but not  
43.5 limited to the issuance of bonds, or actions taken by the city under this article are not  
43.6 deemed an expenditure or other use of city resources within the meaning of any law or  
43.7 charter limitation. The city may exercise any of its powers under this article to spend,  
43.8 borrow, tax, or incur any form of indebtedness or other obligation, for the improvement,  
43.9 including but not limited to, acquisition, development, construction, or betterment, of any  
43.10 public building, stadium, or other capital improvement project, without regard to any  
43.11 charter limitation or provision. Any tax exemption established under this article shall  
43.12 not be deemed an expenditure or other use of city resources within the meaning of any  
43.13 charter limitation.

43.14 **Sec. 5. EFFECTIVE DATE; LOCAL APPROVAL.**

43.15 This article is effective the day after the governing body of the city of Minneapolis  
43.16 and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions  
43.17 2 and 3. Notwithstanding any law to the contrary, the city of Minneapolis and its chief  
43.18 clerical officer have 30 calendar days following final enactment of this act, to comply with  
43.19 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

43.20 **Sec. 6. SEVERABILITY; SAVINGS.**

43.21 If any part of this article is found to be invalid because it is in conflict with a  
43.22 provision of the Minnesota Constitution or for any other reason, all other provisions of  
43.23 this article shall remain valid and any rights, remedies, and privileges that have been  
43.24 otherwise accrued by this article, shall remain in effect and may be proceeded with and  
43.25 concluded under the provisions of this article.

43.26 **Sec. 7. LOCAL SALES TAX REQUIREMENTS NOT TO APPLY.**

43.27 The taxes authorized under Laws 1986, chapter 396, sections 4 and 5, as amended,  
43.28 are exempt from the requirements of Minnesota Statutes, section 297A.99, subdivisions  
43.29 2 and 3.

44.1 **ARTICLE 5**44.2 **LAWFUL GAMBLING**

44.3 Section 1. Minnesota Statutes 2010, section 349.12, subdivision 3b, is amended to read:

44.4 Subd. 3b. **Bar operation.** "Bar operation" means a method of selling and redeeming  
44.5 disposable gambling equipment by an employee of the lessor within a leased premises  
44.6 which is licensed for the on-sale of alcoholic beverages ~~where such sales and redemptions~~  
44.7 ~~are made by an employee of the lessor from a common area where food and beverages~~  
44.8 ~~are also sold.~~

44.9 Sec. 2. Minnesota Statutes 2010, section 349.12, subdivision 3c, is amended to read:

44.10 Subd. 3c. **Bar bingo.** "Bar bingo" is a bingo occasion conducted at a permitted  
44.11 premises in an area where intoxicating liquor or 3.2 percent malt beverages are sold and  
44.12 where the licensed organization conducts another form of lawful gambling. Bar bingo  
44.13 does not include bingo games linked to other permitted premises.

44.14 Sec. 3. Minnesota Statutes 2010, section 349.12, subdivision 5, is amended to read:

44.15 Subd. 5. **Bingo occasion.** "Bingo occasion" means a single gathering or session at  
44.16 which a series of one or more successive bingo games is played. There is no limit on the  
44.17 number of games conducted during a bingo occasion ~~but~~. A bingo occasion must not last  
44.18 longer than eight consecutive hours, except that linked bingo games played on electronic  
44.19 bingo devices may be played during regular business hours of the permitted premises and  
44.20 all play during this period is considered a bingo occasion for reporting purposes. For  
44.21 permitted premises where the primary business is bingo, regular business hours shall be  
44.22 defined as the hours between 8:00 a.m. and 2:00 a.m.

44.23 Sec. 4. Minnesota Statutes 2010, section 349.12, subdivision 6a, is amended to read:

44.24 Subd. 6a. **Booth operation.** "Booth operation" means a method of selling and  
44.25 redeeming disposable gambling equipment by an employee of a licensed organization in  
44.26 a premises the organization leases or owns ~~where such sales and redemptions are made~~  
44.27 ~~within a separate enclosure that is distinct from areas where food and beverages are sold.~~

44.28 Sec. 5. Minnesota Statutes 2010, section 349.12, subdivision 12a, is amended to read:

44.29 Subd. 12a. **Electronic bingo device.** "Electronic bingo device" means ~~an~~ a  
44.30 handheld and portable electronic device that:

44.31 (a) is used by a bingo player to:

45.1 (1) monitor bingo paper sheets or a facsimile of a bingo paper sheet when purchased  
 45.2 and played at the time and place of an organization's bingo occasion and which (1)  
 45.3 provides a means for bingo players to, or to play an electronic bingo game that is linked  
 45.4 with other permitted premises;

45.5 (2) activate numbers announced by a bingo caller; (2) compares or displayed, and  
 45.6 to compare the numbers entered by the player to the bingo faces previously stored in  
 45.7 the memory of the device; and

45.8 (3) identifies identify a winning bingo pattern; or game requirement; and

45.9 (4) play against other bingo players;

45.10 (b) limits the play of bingo faces to 36 faces per game;

45.11 (c) requires coded entry to activate play but does not allow the use of a coin,  
 45.12 currency, or tokens to be inserted to activate play;

45.13 (d) may only be used for play against other bingo players in a bingo game;

45.14 (e) has no additional function as an amusement or gambling device;

45.15 (f) has the capability to ensure adequate levels of security and internal controls; and

45.16 (g) has the capability to permit the board to electronically monitor the operation of  
 45.17 the device and the internal accounting systems.

45.18 ~~Electronic bingo device does not mean any device into which coin, currency, or tokens are~~  
 45.19 ~~inserted to activate play.~~

45.20 Sec. 6. Minnesota Statutes 2010, section 349.12, is amended by adding a subdivision  
 45.21 to read:

45.22 Subd. 12b. **Electronic pull-tab device.** "Electronic pull-tab device" means a  
 45.23 handheld and portable electronic device that:

45.24 (a) is used to play one or more electronic pull-tab games;

45.25 (b) requires coded entry to activate play but does not allow the use of coin, currency,  
 45.26 or tokens to be inserted to activate play;

45.27 (c) requires that a player must activate or open each electronic pull-tab ticket and  
 45.28 each individual line, row, or column of each electronic pull-tab ticket;

45.29 (d) maintains information pertaining to accumulated win credits that may be applied  
 45.30 to games in play or redeemed upon termination of play;

45.31 (e) has no spinning symbols or other representations that mimic a video slot machine;

45.32 (f) has no additional function as a gambling device;

45.33 (g) may incorporate an amusement game feature as part of the pull-tab game but  
 45.34 may not require additional consideration for that feature or awards any prizes, or other  
 45.35 benefit for that feature;

46.1 (h) may have auditory or visual enhancements to promote or provide information  
46.2 about the game being played, provided the component does not affect the outcome of  
46.3 a game or display the results of a game;

46.4 (i) maintains, on nonresettable meters, a printable, permanent record of all  
46.5 transactions involving each device and electronic pull-tab games played on the device; and

46.6 (j) is not a pull-tab dispensing device as defined under subdivision 32a.

46.7 Sec. 7. Minnesota Statutes 2010, section 349.12, is amended by adding a subdivision  
46.8 to read:

46.9 Subd. 12c. **Electronic pull-tab game.** "Electronic pull-tab game" means a pull-tab  
46.10 game containing:

46.11 (a) facsimiles of pull-tab tickets that are played on an electronic pull-tab device;

46.12 (b) a predetermined finite number of winning and losing tickets, not to exceed  
46.13 7,500 tickets;

46.14 (c) the same price for each ticket in the game;

46.15 (d) a price paid by the player of not less than 25 cents per ticket;

46.16 (e) tickets that are in conformance with applicable board rules for pull-tabs;

46.17 (f) winning tickets that comply with prize limits under section 349.211;

46.18 (g) a unique serial number that may not be regenerated;

46.19 (h) an electronic flare that displays the game name, form number, predetermined  
46.20 finite number of tickets in the game, and prize tier; and

46.21 (i) no spinning symbols or other representations that mimic a video slot machine.

46.22 Sec. 8. Minnesota Statutes 2010, section 349.12, is amended by adding a subdivision  
46.23 to read:

46.24 Subd. 12d. **Electronic pull-tab game system.** "Electronic pull-tab game system"  
46.25 means the equipment leased from a licensed distributor and used by a licensed organization  
46.26 to conduct, manage, and record electronic pull-tab games, and to report and transmit the  
46.27 game results as prescribed by the board and the Department of Revenue. The system must  
46.28 provide security and access levels sufficient so that internal control objectives are met as  
46.29 prescribed by the board. The system must contain a point of sale station.

46.30 Sec. 9. Minnesota Statutes 2010, section 349.12, subdivision 18, is amended to read:

46.31 Subd. 18. **Gambling equipment.** "Gambling equipment" means ~~gambling~~  
46.32 equipment that is either disposable or permanent gambling equipment.

46.33 (a) Disposable gambling equipment includes the following:

47.1 (1) bingo hard cards or paper sheets, including linked bingo paper sheets, ~~devices for~~  
 47.2 ~~selecting bingo numbers, electronic bingo devices;~~

47.3 (2) paper and electronic pull-tabs;

47.4 (3) jar tickets, paddle wheels, paddle wheel tables;

47.5 (4) paddle tickets, and paddle ticket cards;

47.6 (5) tipboards, and tipboard tickets; and

47.7 (6) promotional tickets that mimic a pull-tab or tipboard, pull-tab dispensing devices,  
 47.8 ~~and programmable electronic devices that have no effect on the outcome of a game and~~  
 47.9 ~~are used to provide a visual or auditory enhancement of a game.~~

47.10 (b) Permanent gambling equipment includes the following:

47.11 (1) devices for selecting bingo numbers;

47.12 (2) electronic bingo devices;

47.13 (3) electronic pull-tab devices;

47.14 (4) pull-tab dispensing devices;

47.15 (5) programmable electronic devices that have no effect on the outcome of a game

47.16 and are used to provide a visual or auditory enhancement of a game;

47.17 (6) paddle wheels; and

47.18 (7) paddle wheel tables.

47.19 Sec. 10. Minnesota Statutes 2010, section 349.12, subdivision 25b, is amended to read:

47.20 Subd. 25b. **Linked bingo game provider.** "Linked bingo game provider" means  
 47.21 any person who provides the means to link bingo ~~prizes in a linked bingo game, who~~  
 47.22 ~~provides linked bingo paper sheets to the participating organizations~~ games, who provides  
 47.23 linked bingo prize management, and who provides the linked bingo game system.

47.24 Sec. 11. Minnesota Statutes 2010, section 349.12, subdivision 25c, is amended to read:

47.25 Subd. 25c. **Linked bingo game system.** "Linked bingo game system" means the  
 47.26 equipment used by the linked bingo provider to conduct, transmit, and track a linked  
 47.27 bingo game. The system must be approved by the board before its use in this state and  
 47.28 it must have ~~dial-up or other~~ the capability to permit the board to electronically monitor  
 47.29 its operation remotely. For linked electronic bingo games, the system includes electronic  
 47.30 bingo devices.

47.31 Sec. 12. Minnesota Statutes 2010, section 349.12, subdivision 25d, is amended to read:

47.32 Subd. 25d. **Linked bingo prize pool.** "Linked bingo prize pool" means the total  
 47.33 of all prize money that each participating organization has contributed to a linked bingo

48.1 game prize and includes any portion of the prize pool that is carried over from one  
48.2 ~~occasion~~ game to another in a progressive linked bingo game.

48.3 Sec. 13. Minnesota Statutes 2010, section 349.12, subdivision 29, is amended to read:

48.4 Subd. 29. **Paddle wheel.** "Paddle wheel" means a vertical wheel marked off into  
48.5 sections containing one or more numbers, and which, after being turned or spun, uses a  
48.6 pointer or marker to indicate winning chances, and may only be used to determine a  
48.7 winning number or numbers matching a winning paddle ticket purchased by a player. A  
48.8 paddle wheel may be an electronic device that simulates a paddle wheel.

48.9 Sec. 14. Minnesota Statutes 2010, section 349.12, subdivision 31, is amended to read:

48.10 Subd. 31. **Promotional ticket.** A paper pull-tab ticket or paper tipboard ticket  
48.11 created and printed by a licensed manufacturer with the words "no purchase necessary" and  
48.12 "for promotional use only" and for which no consideration is given is a promotional ticket.

48.13 Sec. 15. Minnesota Statutes 2010, section 349.12, subdivision 32, is amended to read:

48.14 Subd. 32. **Pull-tab.** "Pull-tab" means a single folded or banded paper ticket ~~or a~~<sub>2</sub>  
48.15 multi-ply card with perforated break-open tabs, or a facsimile of a paper pull-tab ticket  
48.16 used in conjunction with an electronic pull-tab device, the face of which is initially  
48.17 covered to conceal one or more numbers or symbols, and where one or more of each set of  
48.18 tickets ~~or~~<sub>2</sub> cards, or facsimiles has been designated in advance as a winner.

48.19 Sec. 16. Minnesota Statutes 2010, section 349.13, is amended to read:

48.20 **349.13 LAWFUL GAMBLING.**

48.21 Lawful gambling is not a lottery or gambling within the meaning of sections 609.75  
48.22 to 609.76 if it is conducted under this chapter. A pull-tab dispensing device, electronic  
48.23 bingo device, and electronic pull-tab device permitted under this chapter and by board  
48.24 rule is not a gambling device within the meaning of sections 609.75 to 609.76 and chapter  
48.25 299L. An electronic game device allowed under this chapter may not be a slot machine.  
48.26 Electronic game devices, including but not limited to electronic bingo devices, electronic  
48.27 paddle wheels, and electronic pull-tab devices authorized under this chapter, may only  
48.28 be used in the conduct of lawful gambling permitted under this chapter and board rule  
48.29 and may not display or simulate any other form of gambling or entertainment, except  
48.30 as otherwise allowed under this chapter.

48.31 Sec. 17. Minnesota Statutes 2010, section 349.151, subdivision 4b, is amended to read:



49.1 Subd. 4b. **Pull-tab sales from dispensing devices.** ~~(a)~~ The board may by rule  
49.2 authorize but not require the use of pull-tab dispensing devices.

49.3 ~~(b) Rules adopted under paragraph (a):~~

49.4 ~~(1) must limit the number of pull-tab dispensing devices on any permitted premises~~  
49.5 ~~to three; and~~

49.6 ~~(2) must limit the use of pull-tab dispensing devices to a permitted premises which is~~  
49.7 ~~(i) a licensed premises for on-sales of intoxicating liquor or 3.2 percent malt beverages;~~  
49.8 ~~or (ii) a premises where bingo is conducted and admission is restricted to persons 18~~  
49.9 ~~years or older.~~

49.10 ~~(c) Notwithstanding rules adopted under paragraph (b), pull-tab dispensing devices~~  
49.11 ~~may be used in establishments licensed for the off-sale of intoxicating liquor, other than~~  
49.12 ~~drugstores and general food stores licensed under section 340A.405, subdivision 1.~~

49.13 Sec. 18. Minnesota Statutes 2010, section 349.151, subdivision 4c, is amended to read:

49.14 Subd. 4c. **Electronic bingo devices.** (a) The board may by rule authorize but not  
49.15 require the use of electronic bingo devices.

49.16 ~~(b) Rules adopted under paragraph (a):~~

49.17 ~~(1) must limit the number of bingo faces that can be played using an electronic~~  
49.18 ~~bingo device to 36;~~

49.19 ~~(2) must require that an electronic bingo device be used with corresponding bingo~~  
49.20 ~~paper sheets or a facsimile, printed at the point of sale, as approved by the board;~~

49.21 ~~(3) must require that the electronic bingo device site system have dial-up capability~~  
49.22 ~~to permit the board to remotely monitor the operation of the device and the internal~~  
49.23 ~~accounting systems; and~~

49.24 ~~(4) must prohibit the price of a face played on an electronic bingo device from being~~  
49.25 ~~less than the price of a face on a bingo paper sheet sold at the same occasion.~~

49.26 (b) The board, or the director if authorized by the board, may require the deactivation  
49.27 of an electronic bingo device for violation of a law or rule and to implement any other  
49.28 controls deemed necessary to ensure and maintain the integrity of electronic bingo devices  
49.29 and the electronic bingo games played on the devices.

49.30 Sec. 19. Minnesota Statutes 2010, section 349.151, is amended by adding a subdivision  
49.31 to read:

49.32 Subd. 4d. **Electronic pull-tab devices and electronic pull-tab game system.** (a)  
49.33 The board may adopt rules it deems necessary to ensure the integrity of electronic pull-tab

50.1 devices, the electronic pull-tab games played on the devices, and the electronic pull-tab  
 50.2 game system necessary to operate them.

50.3 (b) The board may not require an organization to use electronic pull-tab devices.

50.4 (c) Before authorizing the lease or sale of electronic pull-tab devices and the  
 50.5 electronic pull-tab game system, the board shall examine electronic pull-tab devices  
 50.6 allowed under section 349.12, subdivision 12b. The board may contract for the  
 50.7 examination of the game system and electronic pull-tab devices and may require a working  
 50.8 model to be transported to locations the board designates for testing, examination, and  
 50.9 analysis. The manufacturer must pay all costs of any testing, examination, analysis, and  
 50.10 transportation of the model. The system must be approved by the board before its use in  
 50.11 the state and must have the capability to permit the board to electronically monitor its  
 50.12 operation and internal accounting systems.

50.13 (d) The board may require a manufacturer to submit a certificate from an independent  
 50.14 testing laboratory approved by the board to perform testing services, stating that the  
 50.15 equipment has been tested, analyzed, and meets the standards required in this chapter  
 50.16 and any applicable board rules.

50.17 (e) The board, or the director if authorized by the board, may require the deactivation  
 50.18 of an electronic pull-tab device for violation of a law or rule and to implement any other  
 50.19 controls deemed necessary to ensure and maintain the integrity of electronic pull-tab  
 50.20 devices and the electronic pull-tab games played on the devices.

50.21 Sec. 20. Minnesota Statutes 2010, section 349.155, subdivision 3, is amended to read:

50.22 Subd. 3. **Mandatory disqualifications.** (a) In the case of licenses for manufacturers,  
 50.23 distributors, distributor salespersons, linked bingo game providers, and gambling  
 50.24 managers, the board may not issue or renew a license under this chapter, and shall revoke  
 50.25 a license under this chapter, if the applicant or licensee, or a director, officer, partner,  
 50.26 governor, or person in a supervisory or management position of the applicant or licensee:

50.27 (1) has ever been convicted of a felony or a crime involving gambling;

50.28 (2) has ever been convicted of (i) assault, (ii) a criminal violation involving the use  
 50.29 of a firearm, or (iii) making terroristic threats;

50.30 (3) is or has ever been connected with or engaged in an illegal business;

50.31 (4) owes \$500 or more in delinquent taxes as defined in section 270C.72;

50.32 (5) had a sales and use tax permit revoked by the commissioner of revenue within  
 50.33 the past two years; or

50.34 (6) after demand, has not filed tax returns required by the commissioner of revenue.

50.35 The board may deny or refuse to renew a license under this chapter, and may revoke a

51.1 license under this chapter, if any of the conditions in this paragraph are applicable to  
 51.2 an affiliate or direct or indirect holder of more than a five percent financial interest in  
 51.3 the applicant or licensee.

51.4 (b) In the case of licenses for organizations, the board may not issue a license under  
 51.5 this chapter, and shall revoke a license under this chapter, if the organization, or an officer  
 51.6 or member of the governing body of the organization:

51.7 (1) has been convicted of a felony or gross misdemeanor involving theft or fraud; or

51.8 (2) has ever been convicted of a crime involving gambling; or

51.9 ~~(3) has had a license issued by the board or director permanently revoked for~~  
 51.10 ~~violation of law or board rule.~~

51.11 Sec. 21. Minnesota Statutes 2010, section 349.155, subdivision 4, is amended to read:

51.12 Subd. 4. **License revocation, suspension, denial; censure.** (a) The board may by  
 51.13 order (i) deny, suspend, revoke, or refuse to renew a license or premises permit, or (ii)  
 51.14 censure a licensee or applicant, if it finds that the order is in the public interest and that the  
 51.15 applicant or licensee, or a director, officer, partner, governor, person in a supervisory or  
 51.16 management position of the applicant or licensee, an employee eligible to make sales on  
 51.17 behalf of the applicant or licensee, or direct or indirect holder of more than a five percent  
 51.18 financial interest in the applicant or licensee:

51.19 (1) has violated or failed to comply with any provision of this chapter or chapter  
 51.20 297E or 299L, or any rule adopted or order issued thereunder;

51.21 (2) has filed an application for a license that is incomplete in any material respect, or  
 51.22 contains a statement that, in light of the circumstances under which it was made, is false,  
 51.23 misleading, fraudulent, or a misrepresentation;

51.24 (3) has made a false statement in a document or report required to be submitted to  
 51.25 the board or the commissioner of revenue, or has made a false statement to the board, the  
 51.26 compliance review group, or the director;

51.27 (4) has been convicted of a crime in another jurisdiction that would be a felony if  
 51.28 committed in Minnesota;

51.29 (5) is permanently or temporarily enjoined by any gambling regulatory agency from  
 51.30 engaging in or continuing any conduct or practice involving any aspect of gambling;

51.31 (6) has had a gambling-related license revoked or suspended, or has paid or been  
 51.32 required to pay a monetary penalty of \$2,500 or more, by a gambling regulator in another  
 51.33 state or jurisdiction;

51.34 (7) has been the subject of any of the following actions by the director of alcohol  
 51.35 and gambling enforcement or commissioner of public safety: (i) had a license under

52.1 chapter 299L denied, suspended, or revoked, (ii) been censured, reprimanded, has paid or  
52.2 been required to pay a monetary penalty or fine, or (iii) has been the subject of any other  
52.3 discipline by the director or commissioner;

52.4 (8) has engaged in conduct that is contrary to the public health, welfare, or safety, or  
52.5 to the integrity of gambling; or

52.6 (9) based on past activities or criminal record poses a threat to the public interest or  
52.7 to the effective regulation and control of gambling, or creates or enhances the dangers of  
52.8 unsuitable, unfair, or illegal practices, methods, and activities in the conduct of gambling  
52.9 or the carrying on of the business and financial arrangements incidental to the conduct of  
52.10 gambling.

52.11 (b) The revocation or suspension of an organization license may not exceed a period  
52.12 of ten years, including any revocation or suspension imposed by the board prior to the  
52.13 effective date of this paragraph, except that:

52.14 (1) any prohibition placed by the board on who may be involved in the conduct,  
52.15 oversight, or management of the revoked organization's lawful gambling activity is  
52.16 permanent; and

52.17 (2) a revocation or suspension will remain in effect until the payment of any taxes,  
52.18 fees, and fines that are delinquent have been paid by the organization to the satisfaction of  
52.19 the board.

52.20 Sec. 22. Minnesota Statutes 2010, section 349.161, subdivision 1, is amended to read:

52.21 Subdivision 1. **Prohibited acts; licenses required.** (a) No person may:

52.22 (1) sell, offer for sale, or furnish gambling equipment for use within the state other  
52.23 than for lawful gambling exempt or excluded from licensing, except to an organization  
52.24 licensed for lawful gambling;

52.25 (2) sell, offer for sale, or furnish gambling equipment for use within the state without  
52.26 having obtained a distributor license or a distributor salesperson license under this section  
52.27 except that an organization authorized to conduct bingo by the board may loan bingo  
52.28 hard cards and devices for selecting bingo numbers to another organization authorized to  
52.29 conduct bingo and a linked bingo game provider may provide electronic bingo devices for  
52.30 linked electronic bingo games;

52.31 (3) sell, offer for sale, or furnish gambling equipment for use within the state that is  
52.32 not purchased or obtained from a manufacturer or distributor licensed under this chapter; or

52.33 (4) sell, offer for sale, or furnish gambling equipment for use within the state that  
52.34 has the same serial number as another item of gambling equipment of the same type sold  
52.35 or offered for sale or furnished for use in the state by that distributor.

53.1 (b) No licensed distributor salesperson may sell, offer for sale, or furnish gambling  
53.2 equipment for use within the state without being employed by a licensed distributor or  
53.3 owning a distributor license.

53.4 (c) No distributor or distributor salesperson may also be licensed as a linked bingo  
53.5 game provider under section 349.1635.

53.6 Sec. 23. Minnesota Statutes 2010, section 349.161, subdivision 5, is amended to read:

53.7 Subd. 5. **Prohibition.** (a) No distributor, distributor salesperson, or other employee  
53.8 of a distributor, may also be a wholesale distributor of alcoholic beverages or an employee  
53.9 of a wholesale distributor of alcoholic beverages.

53.10 (b) No distributor, distributor salesperson, or any representative, agent, affiliate, or  
53.11 other employee of a distributor, may: (1) be involved in the conduct of lawful gambling  
53.12 by an organization; (2) keep or assist in the keeping of an organization's financial records,  
53.13 accounts, and inventories; or (3) prepare or assist in the preparation of tax forms and other  
53.14 reporting forms required to be submitted to the state by an organization.

53.15 (c) No distributor, distributor salesperson, or any representative, agent, affiliate,  
53.16 or other employee of a distributor may provide a lessor of gambling premises any  
53.17 compensation, gift, gratuity, premium, or other thing of value.

53.18 (d) No distributor, distributor salesperson, or any representative, agent, affiliate, or  
53.19 other employee of a distributor may provide an employee or agent of the organization  
53.20 any compensation, gift, gratuity, premium, or other thing of value greater than \$25 per  
53.21 organization in a calendar year.

53.22 (e) No distributor, distributor salesperson, or any representative, agent, affiliate, or  
53.23 other employee of a distributor may participate in any gambling activity at any gambling  
53.24 site or premises where gambling equipment purchased or leased from that distributor or  
53.25 distributor salesperson is being used in the conduct of lawful gambling.

53.26 (f) No distributor, distributor salesperson, or any representative, agent, affiliate, or  
53.27 other employee of a distributor may alter or modify any gambling equipment, except to  
53.28 add a "last ticket sold" prize sticker for a paper pull-tab game.

53.29 (g) No distributor, distributor salesperson, or any representative, agent, affiliate, or  
53.30 other employee of a distributor may: (1) recruit a person to become a gambling manager  
53.31 of an organization or identify to an organization a person as a candidate to become  
53.32 gambling manager for the organization; or (2) identify for an organization a potential  
53.33 gambling location.

53.34 (h) No distributor or distributor salesperson may purchase or lease gambling  
53.35 equipment for resale or lease to a person for use within the state from any person not

54.1 licensed as a manufacturer under section 349.163, except for gambling equipment  
54.2 returned from an organization licensed under section 349.16, or exempt or excluded from  
54.3 licensing under section 349.166.

54.4 (i) No distributor or distributor salesperson may sell gambling equipment, except  
54.5 gambling equipment identified as a promotional ticket, to any person for use in Minnesota  
54.6 other than (i) a licensed organization or organization excluded or exempt from licensing,  
54.7 or (ii) the governing body of an Indian tribe.

54.8 (j) No distributor or distributor salesperson may sell or otherwise provide a paper  
54.9 pull-tab or tipboard deal with the symbol required by section 349.163, subdivision 5,  
54.10 paragraph (d), visible on the flare to any person other than in Minnesota to a licensed  
54.11 organization or organization exempt from licensing.

54.12 Sec. 24. Minnesota Statutes 2010, section 349.162, subdivision 5, is amended to read:

54.13 Subd. 5. **Sales from facilities.** (a) All gambling equipment purchased or possessed  
54.14 by a licensed distributor for resale or lease to any person for use in Minnesota must, prior  
54.15 to the equipment's resale or lease, be unloaded into a storage facility located in Minnesota  
54.16 which the distributor owns or leases; and which has been registered, in advance and in  
54.17 writing, with the Division of Alcohol and Gambling Enforcement as a storage facility of  
54.18 the distributor. All unregistered gambling equipment and all unaffixed registration stamps  
54.19 owned by, or in the possession of, a licensed distributor in the state of Minnesota shall be  
54.20 stored at a storage facility which has been registered with the Division of Alcohol and  
54.21 Gambling Enforcement. No gambling equipment may be moved from the facility unless  
54.22 the gambling equipment has been first registered with the board or the Department of  
54.23 Revenue. A distributor must notify the board of the method that it will use to sell and  
54.24 transfer electronic pull-tab games to licensed organizations, and must receive approval of  
54.25 the board before implementing or making changes to the approved method.

54.26 (b) Notwithstanding section 349.163, subdivisions 5, 6, and 8, a licensed  
54.27 manufacturer may ship into Minnesota approved or unapproved gambling equipment if the  
54.28 licensed manufacturer ships the gambling equipment to a Minnesota storage facility that  
54.29 is: (1) owned or leased by the licensed manufacturer; and (2) registered, in advance and  
54.30 in writing, with the Division of Alcohol and Gambling Enforcement as a manufacturer's  
54.31 storage facility. No gambling equipment may be shipped into Minnesota to the  
54.32 manufacturer's registered storage facility unless the shipment of the gambling equipment  
54.33 is reported to the Department of Revenue in a manner prescribed by the department.  
54.34 No gambling equipment may be moved from the storage facility unless the gambling  
54.35 equipment is sold to a licensed distributor and is otherwise in conformity with this chapter,

55.1 is shipped to an out-of-state site and the shipment is reported to the Department of  
55.2 Revenue in a manner prescribed by the department, or is otherwise sold and shipped as  
55.3 permitted by board rule. A manufacturer must notify the board of the method that it will  
55.4 use to sell and transfer electronic pull-tab games to licensed distributors, and must receive  
55.5 approval of the board before implementing or making changes to the approved method.

55.6 (c) All storage facilities owned, leased, used, or operated by a licensed distributor  
55.7 or manufacturer may be entered upon and inspected by the employees of the Division of  
55.8 Alcohol and Gambling Enforcement, the Division of Alcohol and Gambling Enforcement  
55.9 director's authorized representatives, employees of the Gambling Control Board or its  
55.10 authorized representatives, employees of the Department of Revenue, or authorized  
55.11 representatives of the director of the Division of Special Taxes of the Department of  
55.12 Revenue during reasonable and regular business hours. Obstruction of, or failure to  
55.13 permit, entry and inspection is cause for revocation or suspension of a manufacturer's or  
55.14 distributor's licenses and permits issued under this chapter.

55.15 (d) Unregistered gambling equipment found at any location in Minnesota other than  
55.16 the manufacturing plant of a licensed manufacturer or a registered storage facility are  
55.17 contraband under section 349.2125. This paragraph does not apply:

55.18 (1) to unregistered gambling equipment being transported in interstate commerce  
55.19 between locations outside this state, if the interstate shipment is verified by a bill of lading  
55.20 or other valid shipping document; and

55.21 (2) to gambling equipment registered with the Department of Revenue for  
55.22 distribution to the tribal casinos.

55.23 Sec. 25. Minnesota Statutes 2010, section 349.163, subdivision 1, is amended to read:

55.24 Subdivision 1. **License required.** No manufacturer of gambling equipment may  
55.25 sell any gambling equipment to any person for use or resale within the state, unless the  
55.26 manufacturer has a current and valid license issued by the board under this section and has  
55.27 satisfied other criteria prescribed by the board by rule. A manufacturer licensed under this  
55.28 section may also be licensed as a linked bingo game provider under section 349.1635.

55.29 A manufacturer licensed under this section may not also be directly or indirectly  
55.30 licensed as a distributor under section 349.161.

55.31 Sec. 26. Minnesota Statutes 2010, section 349.163, subdivision 5, is amended to read:

55.32 Subd. 5. **Paper pull-tab and tipboard flares.** (a) A manufacturer may not ship or  
55.33 cause to be shipped into this state or sell for use or resale in this state any deal of paper  
55.34 pull-tabs or tipboards that does not have its own individual flare as required for that deal

56.1 by this subdivision and rule of the board. A person other than a manufacturer may not  
56.2 manufacture, alter, modify, or otherwise change a flare for a deal of paper pull-tabs or  
56.3 tipboards except as allowed by this chapter or board rules.

56.4 (b) The flare of each paper pull-tab and tipboard game must have affixed to  
56.5 or imprinted at the bottom a bar code that provides all information required by the  
56.6 commissioner of revenue under section 297E.04, subdivision 2.

56.7 The serial number included in the bar code must be the same as the serial number  
56.8 of the tickets included in the deal. A manufacturer who manufactures a deal of paper  
56.9 pull-tabs must affix to the outside of the box containing that game the same bar code that  
56.10 is affixed to or imprinted at the bottom of a flare for that deal.

56.11 (c) No person may alter the bar code that appears on the outside of a box containing  
56.12 a deal of paper pull-tabs and tipboards. Possession of a box containing a deal of paper  
56.13 pull-tabs and tipboards that has a bar code different from the bar code of the deal inside  
56.14 the box is prima facie evidence that the possessor has altered the bar code on the box.

56.15 (d) The flare of each deal of paper pull-tabs and tipboards sold by a manufacturer for  
56.16 use or resale in Minnesota must have imprinted on it a symbol that is at least one inch high  
56.17 and one inch wide consisting of an outline of the geographic boundaries of Minnesota  
56.18 with the letters "MN" inside the outline. The flare must be placed inside the wrapping of  
56.19 the deal which the flare describes.

56.20 (e) Each paper pull-tab and tipboard flare must bear the following statement printed  
56.21 in letters large enough to be clearly legible:

56.22 "Pull-tab (or tipboard) purchasers – This pull-tab (or tipboard) game is not legal in  
56.23 Minnesota unless:

56.24 – an outline of Minnesota with letters "MN" inside it is imprinted on this sheet, and  
56.25 – the serial number imprinted on the bar code at the bottom of this sheet is the same  
56.26 as the serial number on the pull-tab (or tipboard) ticket you have purchased."

56.27 (f) The flare of each paper pull-tab and tipboard game must have the serial number  
56.28 of the game imprinted on the bar code at the bottom of the flare in numerals at least  
56.29 one-half inch high.

56.30 Sec. 27. Minnesota Statutes 2010, section 349.163, subdivision 6, is amended to read:

56.31 Subd. 6. **Samples of gambling equipment.** (a) The board shall require each  
56.32 licensed manufacturer to submit to the board one or more samples of each item of gambling  
56.33 equipment ~~the manufacturer manufactures~~ manufactured for use or resale in this state.  
56.34 For purposes of this subdivision, a manufacturer is also required to submit the applicable  
56.35 version of any software necessary to operate electronic devices and related systems.



57.1           **(b)** The board shall inspect and test all the equipment, including software and  
57.2 software upgrades, it deems necessary to determine the equipment's compliance with  
57.3 law and board rules. Samples required under this subdivision must be approved by the  
57.4 board before the equipment being sampled is shipped into or sold for use or resale in this  
57.5 state. The board shall impose a fee of \$25 for each item of gambling equipment that the  
57.6 manufacturer submits for approval or for which the manufacturer requests approval. The  
57.7 board shall impose a fee of \$100 for each sample of gambling equipment that it tests.

57.8           **(c)** The board may require samples of gambling equipment to be tested by an  
57.9 independent testing laboratory prior to submission to the board for approval. All costs  
57.10 of testing by an independent testing laboratory must be borne by the manufacturer. An  
57.11 independent testing laboratory used by a manufacturer to test samples of gambling  
57.12 equipment must be approved by the board before the equipment is submitted to the  
57.13 laboratory for testing.

57.14           **(d)** The board may request the assistance of the commissioner of public safety and  
57.15 the director of the State Lottery in performing the tests.

57.16           Sec. 28. Minnesota Statutes 2010, section 349.1635, subdivision 2, is amended to read:

57.17           Subd. 2. **License application.** The board may issue a license to a linked bingo game  
57.18 provider or to a manufacturer licensed under section 349.163 who meets the qualifications  
57.19 of this chapter and the rules promulgated by the board. The application shall be on a form  
57.20 prescribed by the board. The license is valid for two years and the fee for a linked bingo  
57.21 game provider license is \$5,000 per year.

57.22           Sec. 29. Minnesota Statutes 2010, section 349.1635, subdivision 3, is amended to read:

57.23           Subd. 3. **Attachments to application.** An applicant for a linked bingo game  
57.24 provider license must attach to its application:

57.25           (1) evidence of a bond in the principal amount of \$100,000 payable to the state of  
57.26 Minnesota conditioned on the payment of all linked bingo prizes and any other money due  
57.27 and payable under this chapter;

57.28           (2) detailed plans and specifications for the operation of the linked bingo game and  
57.29 the linked bingo system, along with a proposed fee schedule for the cost of providing  
57.30 services and equipment to licensed organizations which may not exceed 15 percent of  
57.31 gross profits, unless a higher percentage, not to exceed 20 percent, is authorized by board.  
57.32 The fee schedule must incorporate costs paid to distributors for services provided under  
57.33 subdivision 5; and

57.34           (3) any other information required by the board by rule.

58.1 Sec. 30. Minnesota Statutes 2010, section 349.1635, is amended by adding a  
58.2 subdivision to read:

58.3 Subd. 5. **Linked bingo game services requirements.** (a) A linked bingo game  
58.4 provider must contract with licensed distributors for linked bingo game services including,  
58.5 but not limited to, the solicitation of agreements with licensed organizations, and  
58.6 installation, repair, or maintenance of the linked bingo game system.

58.7 (b) A distributor may not charge a fee to licensed organizations for services  
58.8 authorized and rendered under paragraph (a).

58.9 (c) A linked bingo game provider may not contract with any distributor on an  
58.10 exclusive basis.

58.11 (d) A linked bingo game provider may refuse to contract with a licensed distributor  
58.12 if the linked bingo game provider demonstrates that the licensed distributor is not capable  
58.13 of performing the services under the contract.

58.14 Sec. 31. Minnesota Statutes 2010, section 349.165, subdivision 2, is amended to read:

58.15 Subd. 2. **Contents of application.** An application for a premises permit must  
58.16 contain:

58.17 (1) the name and address of the applying organization;

58.18 (2) a description of the site for which the permit is sought, including its address and,  
58.19 where applicable, its placement within another premises or establishment;

58.20 (3) if the site is leased, the name and address of the lessor and information about the  
58.21 lease the board requires, including all rents and other charges for the use of the site. The  
58.22 lease term is concurrent with the term of the premises permit. The lease must contain a  
58.23 ~~30-day~~ termination clause. No lease is required for the conduct of a raffle; and

58.24 (4) other information the board deems necessary to carry out its purposes.

58.25 An organization holding a premises permit must notify the board in writing within  
58.26 ten days whenever any material change is made in the above information.

58.27 Sec. 32. Minnesota Statutes 2010, section 349.17, subdivision 6, is amended to read:

58.28 Subd. 6. **Conduct of bingo.** The price of a face played on an electronic bingo  
58.29 device may not be less than the price of a face on a bingo paper sheet sold for the same  
58.30 game at the same occasion. A game of bingo begins with the first letter and number called  
58.31 or displayed. Each player must cover, mark, or activate the numbers when bingo numbers  
58.32 are randomly selected, ~~and~~ announced, ~~and~~ or displayed to the players, ~~either manually~~  
58.33 ~~or with a flashboard and monitor.~~ The game is won when a player, using bingo paper,  
58.34 bingo hard card, or a facsimile of a bingo paper sheet, has completed, as described in the

59.1 bingo program, a previously designated pattern or previously determined requirements  
59.2 of the game and declared bingo. The game is completed when a winning card, sheet, or  
59.3 facsimile is verified and a prize awarded pursuant to subdivision 3.

59.4 Sec. 33. Minnesota Statutes 2010, section 349.17, subdivision 7, is amended to read:

59.5 Subd. 7. **Bar bingo.** An organization may conduct bar bingo subject to the  
59.6 following restrictions:

59.7 (1) the bingo is conducted at a site the organization owns or leases and which has a  
59.8 license for the sale of intoxicating beverages on the premises under chapter 340A; and

59.9 (2) the bingo is conducted using only bingo paper sheets or facsimiles of bingo paper  
59.10 sheets purchased from a licensed distributor or licensed linked bingo game provider; and

59.11 ~~(3) no rent may be paid for a bar bingo occasion.~~

59.12 Sec. 34. Minnesota Statutes 2010, section 349.17, subdivision 8, is amended to read:

59.13 Subd. 8. **Linked bingo games.** (a) A licensed organization may conduct or  
59.14 participate in ~~not more than two~~ linked bingo games ~~per occasion, one of which may be,~~  
59.15 including a progressive games game in which a portion of the prize is carried over from  
59.16 one ~~occasion~~ game to another until won by a player achieving a valid bingo ~~within a~~  
59.17 ~~predetermined amount of bingo numbers called~~ based upon a predetermined and posted  
59.18 win determination.

59.19 (b) ~~Each participating licensed organization shall contribute to each prize awarded in~~  
59.20 ~~a linked bingo game in an amount not to exceed \$300.~~ Linked bingo games may only be  
59.21 conducted by licensed organizations who have a valid agreement with the linked bingo  
59.22 game provider.

59.23 (c) An electronic bingo device as defined in section 349.12, subdivision 12a, may  
59.24 be used for a linked bingo game.

59.25 (d) The board may adopt rules to:

59.26 (1) specify the manner in which a linked bingo game must be played and how the  
59.27 linked bingo prizes must be awarded;

59.28 (2) specify the records to be maintained by a linked bingo game provider;

59.29 (3) require the submission of periodic reports by the linked bingo game provider and  
59.30 specify the content of the reports;

59.31 (4) establish the qualifications required to be licensed as a linked bingo game  
59.32 provider; and

59.33 (5) any other matter involving the operation of a linked bingo game.

60.1 Sec. 35. Minnesota Statutes 2010, section 349.17, is amended by adding a subdivision  
60.2 to read:

60.3 Subd. 9. **Linked bingo games played exclusively on electronic bingo devices.** In  
60.4 addition to the requirements of subdivision 8, the following requirements and restrictions  
60.5 apply when linked bingo games are played exclusively on electronic bingo devices:

60.6 (a) The permitted premises must be:

60.7 (1) a premises licensed for the on-sale or off-sale of intoxicating liquor or 3.2 percent  
60.8 malt beverages, except for a general food store or drug store permitted to sell alcoholic  
60.9 beverages under section 340A.405, subdivision 1; or

60.10 (2) a premises where bingo is conducted as the primary business and has a seating  
60.11 capacity of at least 100.

60.12 (b) The number of electronic bingo devices is limited to:

60.13 (1) no more than six devices in play for permitted premises with 200 seats or less;

60.14 (2) no more than 12 devices in play for permitted premises with 201 seats or more;

60.15 and

60.16 (3) no more than 50 devices in play for permitted premises where bingo is the  
60.17 primary business.

60.18 Seating capacity is determined as specified under the local fire code.

60.19 (c) Prior to a bingo occasion, the linked bingo game provider, on behalf of the  
60.20 participating organizations, must provide to the board a bingo program in a format  
60.21 prescribed by the board.

60.22 (d) Before participating in the play of a linked bingo game, a player must present  
60.23 and register a valid picture identification card that includes the player's address and  
60.24 date of birth.

60.25 (e) An organization may remove from play a device that a player has not maintained  
60.26 in an activated mode for a specified period of time determined by the organization. The  
60.27 organization must provide the notice in its house rules.

60.28 Sec. 36. Minnesota Statutes 2010, section 349.1721, is amended to read:

60.29 **349.1721 CONDUCT OF PULL-TABS.**

60.30 Subdivision 1. **Cumulative or carryover games.** The board shall by rule permit  
60.31 pull-tab games with multiple seals. The board shall also adopt rules for pull-tab games with  
60.32 cumulative or carryover prizes. The rules shall also apply to electronic pull-tab games.

60.33 Subd. 2. **Event games.** The board shall by rule permit pull-tab games in which  
60.34 certain winners are determined by the random selection of one or more bingo numbers

61.1 or by another method approved by the board. The rules shall also apply to electronic  
61.2 pull-tab games.

61.3 **Subd. 3. Pull-tab dispensing device location restrictions and requirements.**

61.4 The following pertain to pull-tab dispensing devices as defined under section 349.12,  
61.5 subdivision 32a.

61.6 (a) The use of any pull-tab dispensing device must be at a permitted premises  
61.7 which is:

61.8 (1) a licensed premises for on-sale of intoxicating liquor or 3.2 percent malt  
61.9 beverages;

61.10 (2) a premises where bingo is conducted as the primary business; or

61.11 (3) an establishment licensed for the off-sale of intoxicating liquor, other than drug  
61.12 stores and general food stores licensed under section 340A.405, subdivision 1.

61.13 (b) The number of pull-tab dispensing devices located at any permitted premises  
61.14 is limited to three.

61.15 **Subd. 4. Electronic pull-tab device requirements and restrictions.** The following  
61.16 pertain to the use of electronic pull-tab devices as defined under section 349.12,  
61.17 subdivision 12b.

61.18 (a) The use of any electronic pull-tab device may only be at a permitted premises  
61.19 that is:

61.20 (1) a premises licensed for the on-sale or off-sale of intoxicating liquor or 3.2 percent  
61.21 malt beverages, except for a general food store or drug store permitted to sell alcoholic  
61.22 beverages under section 340A.405, subdivision 1; or

61.23 (2) a premises where bingo is conducted as the primary business and has a seating  
61.24 capacity of at least 100; and

61.25 (3) where the licensed organization sells paper pull-tabs.

61.26 (b) The number of electronic pull-tab devices is limited to:

61.27 (1) no more than six devices in play at any permitted premises with 200 seats or less;

61.28 (2) no more than 12 devices in play at any permitted premises with 201 seats

61.29 or more; and

61.30 (3) no more than 50 devices in play at any permitted premises where the primary  
61.31 business is bingo.

61.32 Seating capacity is determined as specified under the local fire code.

61.33 (c) The hours of operation for the devices are limited to 8:00 a.m. to 2:00 a.m.

61.34 (d) All electronic pull-tab games must be sold and played on the permitted premises  
61.35 and may not be linked to other permitted premises.

62.1 (e) Electronic pull-tab games may not be transferred electronically or otherwise to  
62.2 any other location by the licensed organization.

62.3 (f) Electronic pull-tab games may be commingled if the games are from the same  
62.4 family of games and manufacturer and contain the same game name, form number, type  
62.5 of game, ticket count, prize amounts, and prize denominations. Each commingled game  
62.6 must have a unique serial number.

62.7 (g) An organization may remove from play a device that a player has not maintained  
62.8 in an activated mode for a specified period of time determined by the organization. The  
62.9 organization must provide the notice in its house rules.

62.10 (h) Before participating in the play of an electronic pull-tab game, a player must  
62.11 present and register a valid picture identification card that includes the player's address  
62.12 and date of birth.

62.13 (i) Each player is limited to the use of one device at a time.

62.14 Sec. 37. Minnesota Statutes 2010, section 349.1721, is amended by adding a  
62.15 subdivision to read:

62.16 Subd. 5. **Multiple chance games.** The board may permit pull-tab games in which  
62.17 the holders of certain predesignated winning tickets, with a prize value not to exceed \$75  
62.18 each, have the option of turning in the winning tickets for the chance to win a prize of  
62.19 greater value.

62.20 Sec. 38. Minnesota Statutes 2010, section 349.18, subdivision 1, is amended to read:

62.21 Subdivision 1. **Lease or ownership required; rent limitations.** (a) An organization  
62.22 may conduct lawful gambling only on premises it owns or leases. Leases must be on a  
62.23 form prescribed by the board. The term of the lease is concurrent with the premises permit.  
62.24 Leases approved by the board must specify that the board may authorize an organization  
62.25 to withhold rent from a lessor for a period of up to 90 days if the board determines that  
62.26 illegal gambling occurred on the premises or that the lessor or its employees participated  
62.27 in the illegal gambling or knew of the gambling and did not take prompt action to stop the  
62.28 gambling. The lease must authorize the continued tenancy of the organization without  
62.29 the payment of rent during the time period determined by the board under this paragraph.  
62.30 Copies of all leases must be made available to employees of the board and the Division of  
62.31 Alcohol and Gambling Enforcement on request.

62.32 (b) Rent paid by an organization for leased premises for the conduct of ~~pull-tabs,~~  
62.33 ~~tipboards, and paddle wheels~~ lawful gambling is subject to the following limits and  
62.34 restrictions:

63.1 (1) For booth operations, ~~including booth operations where a pull-tab dispensing~~  
63.2 ~~device is located, booth operations where a bar operation is also conducted, and booth~~  
63.3 ~~operations where both a pull-tab dispensing device is located and a bar operation is also~~  
63.4 ~~conducted, the maximum rent is:~~ monthly rent may not exceed ten percent of gross profits  
63.5 for that month. Total rent paid to a lessor from all organizations from leases governed by  
63.6 this clause may not exceed \$1,750 per month.

63.7 ~~(i) in any month where the organization's gross profit at those premises does not~~  
63.8 ~~exceed \$4,000, up to \$400; and~~

63.9 ~~(ii) in any month where the organization's gross profit at those premises exceeds~~  
63.10 ~~\$4,000, up to \$400 plus not more than ten percent of the gross profit for that month in~~  
63.11 ~~excess of \$4,000;~~

63.12 (2) For bar operations, ~~including bar operations where a pull-tab dispensing device~~  
63.13 ~~is located but not including bar operations subject to clause (1), and for locations where~~  
63.14 ~~only a pull-tab dispensing device is located:~~ monthly rent may not exceed: (a) 15 percent  
63.15 of the gross profits for that month from pull-tabs sold from a pull-tab dispensing device,  
63.16 electronic pull-tab games, and electronic linked bingo games, and (b) not more than 20  
63.17 percent of gross profits from all other forms of lawful gambling.

63.18 ~~(i) in any month where the organization's gross profit at those premises does not~~  
63.19 ~~exceed \$1,000, up to \$200; and~~

63.20 ~~(ii) in any month where the organization's gross profit at those premises exceeds~~  
63.21 ~~\$1,000, up to \$200 plus not more than 20 percent of the gross profit for that month~~  
63.22 ~~in excess of \$1,000;~~

63.23 (3) ~~a lease not governed by clauses (1) and (2) must be approved by the board before~~  
63.24 ~~becoming effective;~~ For electronic linked bingo games and electronic pull-tab games that  
63.25 are operated for separate time periods within a business day by an organization and the  
63.26 lessor, monthly rent may not be more than:

63.27 (i) 15 percent of the gross profits for that month for the time periods operated by  
63.28 the lessor. The lessor is responsible for cash shortages that occur during the time periods  
63.29 the games are operated by the lessor; and

63.30 (ii) ten percent of gross profits for that month for the time periods operated by the  
63.31 organization. The organization is responsible for cash shortages that occur during the time  
63.32 periods the games are operated by the organization.

63.33 ~~(4) total rent paid to a lessor from all organizations from leases governed by clause~~  
63.34 ~~(1) may not exceed \$1,750 per month.~~

63.35 ~~(c) Rent paid by an organization for leased premises for the conduct of bingo is~~  
63.36 ~~subject to either of the following limits at the option of the parties to the lease:~~

64.1 ~~(1)~~ (4) For bingo conducted at a leased premises where the primary business is  
 64.2 bingo, rent is limited to either not more than ten percent of the monthly gross profit from  
 64.3 all lawful gambling activities held during bingo occasions, excluding bar bingo or at a  
 64.4 rate based on a cost per square foot not to exceed 110 percent of a comparable cost per  
 64.5 square foot for leased space as approved by the director; and.

64.6 ~~(2)~~ (5) No rent may be paid for bar bingo as defined in section 349.12, subdivision 3c.

64.7 (6) A lease not governed by clauses (1) to (5) must be approved by the director  
 64.8 before becoming effective.

64.9 ~~(d)~~ (c) Amounts paid as rent under leases are all-inclusive. No other services or  
 64.10 expenses provided or contracted by the lessor may be paid by the organization, including,  
 64.11 but not limited to, trash removal, janitorial and cleaning services, snow removal, lawn  
 64.12 services, electricity, heat, security, security monitoring, storage, and other utilities or  
 64.13 services, and, in the case of bar operations, cash shortages, unless approved by the  
 64.14 director. The lessor shall be responsible for the cost of any communications network or  
 64.15 service required to conduct electronic pull-tab games or electronic bingo games. Any  
 64.16 other expenditure made by an organization that is related to a leased premises must be  
 64.17 approved by the director. For bar operations, the lessor is responsible for cash shortages.  
 64.18 An organization may not provide any compensation or thing of value to a lessor or the  
 64.19 lessor's employees from any fund source other than its gambling account. Rent payments  
 64.20 may not be made to an individual.

64.21 ~~(e)~~ (d) Notwithstanding paragraph (b), an organization may pay a lessor for food  
 64.22 or beverages or meeting room rental if the charge made is comparable to similar charges  
 64.23 made to other individuals or groups.

64.24 ~~(f) No entity other than the~~ (e) A licensed organization may not conduct any activity  
 64.25 within a booth operation on behalf of the lessor on a leased premises.

64.26 Sec. 39. Minnesota Statutes 2010, section 349.19, subdivision 2, is amended to read:

64.27 Subd. 2. **Accounts.** (a) Gross receipts from lawful gambling by each organization  
 64.28 must be segregated from all other revenues of the conducting organization and placed in a  
 64.29 separate gambling bank account.

64.30 (b) All expenditures for allowable expenses, taxes, and lawful purposes must be  
 64.31 made from the separate account except (1) in the case of expenditures previously approved  
 64.32 by the organization's membership for emergencies as defined by board rule, (2) as provided  
 64.33 in subdivision 2a, or (3) when restricted to one electronic fund transaction for the payment  
 64.34 of taxes for the organization as a whole, the organization may transfer the amount of taxes  
 64.35 related to the conduct of gambling to the general account at the time when due and payable.



65.1 (c) The name and address of the bank, the account number for the separate account,  
65.2 and the names of organization members authorized as signatories on the separate account  
65.3 must be provided to the board when the application is submitted. Changes in the  
65.4 information must be submitted to the board at least ten days before the change is made.

65.5 (d) Except for gambling receipts from electronic pull-tab games and linked  
65.6 electronic bingo games, gambling receipts must be deposited into the gambling bank  
65.7 account within four business days of completion of the bingo occasion, deal, or game from  
65.8 which they are received.

65.9 (1) A deal of paper pull-tabs is considered complete when either the last pull-tab of  
65.10 the deal is sold or the organization does not continue the play of the deal during the next  
65.11 scheduled period of time in which the organization will conduct pull-tabs.

65.12 (2) A tipboard game is considered complete when the seal on the game flare is  
65.13 uncovered or the organization does not continue the play of the deal during the next  
65.14 scheduled period of time in which the organization will conduct tipboards.

65.15 (e) Gambling receipts from all electronic pull-tab games and all linked electronic  
65.16 bingo games must be recorded on a daily basis and deposited into the gambling bank  
65.17 account within two business days.

65.18 ~~(e)~~ (f) Deposit records must be sufficient to allow determination of deposits made  
65.19 from each bingo occasion, deal, or game at each permitted premises.

65.20 ~~(f)~~ (g) The person who accounts for gambling gross receipts and profits may not be  
65.21 the same person who accounts for other revenues of the organization.

65.22 Sec. 40. Minnesota Statutes 2010, section 349.19, subdivision 3, is amended to read:

65.23 Subd. 3. **Expenditures.** (a) All expenditures of gross profits from lawful gambling  
65.24 must be itemized as to payee, purpose, amount, and date of payment.

65.25 (b) Each licensed organization must report monthly to the board ~~on a form~~ in an  
65.26 electronic format prescribed by the board each expenditure or contribution of net profits  
65.27 from lawful gambling. The reports must provide for each expenditure or contribution:

65.28 (1) the name of the recipient of the expenditure or contribution;

65.29 (2) the date the expenditure or contribution was approved by the organization;

65.30 (3) the date, amount, and check number or electronic transfer confirmation number  
65.31 of the expenditure or contribution;

65.32 (4) a brief description of how the expenditure or contribution meets one or more of  
65.33 the purposes in section 349.12, subdivision 25; and

66.1 (5) in the case of expenditures authorized under section 349.12, subdivision 25,  
66.2 paragraph (a), clause (7), whether the expenditure is for a facility or activity that primarily  
66.3 benefits male or female participants.

66.4 (c) Authorization of the expenditures must be recorded in the monthly meeting  
66.5 minutes of the licensed organization.

66.6 (d) Checks or authorizations for electronic fund transfers for expenditures of gross  
66.7 profits must be signed by at least two persons authorized by board rules to sign the  
66.8 checks or authorizations.

66.9 (e) Expenditures of gross profits from lawful gambling for local, state, and federal  
66.10 taxes as identified in section 349.12, subdivision 25, paragraph (a), clause (8), may be  
66.11 transferred electronically from the organization's gambling account directly to bank  
66.12 accounts identified by local, state, or federal agencies if the organization's gambling  
66.13 account monthly bank statement specifically identifies the payee by name, the amount  
66.14 transferred, and the date of the transaction.

66.15 (f) Expenditures of gross profits from lawful gambling for payments for lawful  
66.16 purpose expenditures and allowable expenses may be transferred electronically from the  
66.17 organization's gambling account directly to bank accounts identified by the vendor if the  
66.18 organization's gambling account monthly bank statement specifically identifies the payee  
66.19 by name, the amount transferred, the account number of the account into which the funds  
66.20 were transferred, and the date of the transaction.

66.21 (g) Expenditures of gross profits from lawful gambling for payroll compensation  
66.22 to an employee's account and for the payment of local, state, and federal withholding  
66.23 taxes may be transferred electronically to and from the account of a payroll processing  
66.24 firm provided that the firm:

66.25 (1) is currently registered with and meets the criteria of the Department of Revenue  
66.26 as a third-party bulk filer under section 290.92, subdivision 30;

66.27 (2) is able to provide proof of a third-party audit and an annual report and statement  
66.28 of financial condition;

66.29 (3) is able to provide evidence of a fidelity bond; and

66.30 (4) can provide proof of having been in business as a third-party bulk filer for the  
66.31 most recent three years.

66.32 (h) Electronic payments of taxes, lawful purpose expenditures, and allowable  
66.33 expenses are permitted only if they have been authorized by the membership, the  
66.34 organization maintains supporting documentation, and the expenditures can be verified.

66.35 **EFFECTIVE DATE.** This section is effective July 1, 2012.

67.1 Sec. 41. Minnesota Statutes 2010, section 349.19, subdivision 5, is amended to read:

67.2 Subd. 5. **Reports.** (a) A licensed organization must report monthly to the  
67.3 ~~Department of Revenue~~ board in an electronic format prescribed by the board and to its  
67.4 membership ~~monthly, or quarterly in the case of a licensed organization which does not~~  
67.5 ~~report more than \$1,000 in gross receipts from lawful gambling in any calendar quarter,~~  
67.6 on its gross receipts, expenses, profits, and expenditure of profits from lawful gambling  
67.7 for each permitted premises. The organization must account for and report on each form  
67.8 of lawful gambling conducted. The ~~report~~ organization must include a reconciliation of  
67.9 the organization's profit carryover with its cash balance on hand. ~~If the organization~~  
67.10 ~~conducts both bingo and other forms of lawful gambling, the figures for both must be~~  
67.11 ~~reported separately.~~

67.12 (b) The organization must report ~~annually to its membership and annually file with~~  
67.13 ~~the board a financial summary report in a format prescribed by the board that identifies the~~  
67.14 ~~organization's receipts and use of lawful gambling proceeds, including:~~ monthly to the  
67.15 commissioner of revenue as required under section 297E.06.

67.16 (1) ~~gross receipts;~~

67.17 (2) ~~prizes paid;~~

67.18 (3) ~~allowable expenses;~~

67.19 (4) ~~lawful purpose expenditures, including annual totals for types of charitable~~  
67.20 ~~contributions and all taxes and fees as per section 349.12, subdivision 25, paragraph~~  
67.21 ~~(a), clauses (8) and (18);~~

67.22 (5) ~~the percentage of annual gross profits used for charitable contributions; and~~

67.23 (6) ~~the percentage of annual gross profits used for all taxes and fees as per section~~  
67.24 ~~349.12, subdivision 25, paragraph (a), clauses (8) and (18).~~

67.25 **EFFECTIVE DATE.** This section is effective July 1, 2012.

67.26 Sec. 42. Minnesota Statutes 2010, section 349.19, subdivision 10, is amended to read:

67.27 Subd. 10. **Pull-tab records.** (a) The board shall by rule require a licensed  
67.28 organization to require each winner of a paper pull-tab prize of \$50 or more to present  
67.29 identification in the form of a driver's license, Minnesota identification card, or other  
67.30 identification the board deems sufficient to allow the identification and tracking of the  
67.31 winner. The rule must require the organization to retain winning paper pull-tabs of \$50 or  
67.32 more, and the identification of the winner of the pull-tab, for 3-1/2 years.

67.33 (b) An organization must maintain separate cash banks for each deal of paper  
67.34 pull-tabs unless (1) the licensed organization uses a pull-tab dispensing device, or (2) the

68.1 organization uses a cash register, of a type approved by the board, which records all  
68.2 sales of paper pull-tabs by separate deals.

68.3 (c) The board shall:

68.4 (1) by rule adopt minimum technical standards for cash registers that may be used  
68.5 by organizations, and shall approve for use by organizations any cash register that meets  
68.6 the standards; and

68.7 (2) before allowing an organization to use a cash register that commingles receipts  
68.8 from several different paper pull-tab games in play, adopt rules that define how cash  
68.9 registers may be used and that establish a procedure for organizations to reconcile all  
68.10 pull-tab games in play at the end of each month.

68.11 Sec. 43. Minnesota Statutes 2010, section 349.211, subdivision 1a, is amended to read:

68.12 Subd. 1a. **Linked bingo prizes.** Prizes for a linked bingo game shall be limited  
68.13 as follows:

68.14 (1) ~~no organization may contribute more than \$300 per linked bingo game to a~~  
68.15 ~~linked bingo prize pool for linked bingo games played without electronic bingo devices,~~  
68.16 an organization may not contribute to a linked bingo game prize pool more than \$300  
68.17 per linked bingo game per site;

68.18 (2) for linked bingo games played exclusively with electronic bingo devices, an  
68.19 organization may not contribute more than 85 percent of the gross receipts per permitted  
68.20 premises to a linked bingo game prize pool;

68.21 ~~(2)~~ (3) no organization may award more than \$200 for a linked bingo game  
68.22 consolation prize. For purposes of this subdivision, a linked bingo game consolation  
68.23 prize is a prize awarded by an organization after a prize from the linked bingo prize pool  
68.24 has been won; ~~and~~

68.25 ~~(3)~~ (4) for a progressive linked bingo game, if no player declares a valid bingo  
68.26 ~~within the~~ for a progressive prize or prizes based on a predetermined amount of bingo  
68.27 ~~numbers called and posted win determination,~~ prize is gross receipts  
68.28 may be carried over to another occasion game until the accumulated progressive prize  
68.29 is won. The portion of the prize that is not carried over must be awarded to the first  
68.30 player or players who declares a valid bingo as additional numbers are called. If a valid  
68.31 bingo is declared within the predetermined amount of bingo numbers called, the entire  
68.32 prize pool for that game is awarded to the winner. The annual limit for progressive bingo  
68.33 game prizes contained in subdivision 2 must be reduced by the amount an organization  
68.34 contributes to progressive linked bingo games during the same calendar year; and

69.1 (5) for linked bingo games played exclusively with electronic bingo devices, linked  
69.2 bingo prizes in excess of \$599 shall be paid by the linked bingo game provider to the  
69.3 player within three business days. Winners of linked bingo prizes in excess of \$599 will  
69.4 be given a receipt or claim voucher as proof of a win.

69.5 Sec. 44. **APPROPRIATION.**

69.6 (a) \$779,000 in fiscal year 2013 and \$779,000 in fiscal year 2014 and \$779,000 in  
69.7 fiscal year 2015 are appropriated from the lawful gambling regulation account in the  
69.8 special revenue fund to the Gambling Control Board for operating expenses related  
69.9 to the regulatory oversight of lawful gambling for electronic pull-tabs and electronic  
69.10 linked bingo.

69.11 (b) One-half of one percent of the revenue deposited in the general fund under  
69.12 Minnesota Statutes, section 16A.965, subdivision 8, paragraph (a), is appropriated to  
69.13 the commissioner of human services for the compulsive gambling treatment program  
69.14 established under Minnesota Statutes, section 245.98. One-half of one percent of the  
69.15 revenue deposited in the general fund under Minnesota Statutes, section 16A.965,  
69.16 subdivision 8, paragraph (a), is appropriated to the Gambling Control Board for a  
69.17 grant to the state affiliate recognized by the National Council on Problem Gambling to  
69.18 increase public awareness of problem gambling, education and training for individuals  
69.19 and organizations providing effective treatment services to problem gamblers and  
69.20 their families, and research relating to problem gambling. Money appropriated by this  
69.21 paragraph must supplement and must not replace existing state funding for these programs.

69.22 Sec. 45. **EFFECTIVE DATE.**

69.23 Except as otherwise explicitly provided, this article is effective the day following  
69.24 final enactment.

## 69.25 **ARTICLE 6**

### 69.26 **MISCELLANEOUS**

69.27 Section 1. Minnesota Statutes 2010, section 297A.71, is amended by adding a  
69.28 subdivision to read:

69.29 Subd. 44. **Building materials, capital projects.** Materials and supplies used or  
69.30 consumed in and equipment incorporated into the construction or improvement of a  
69.31 capital project funded partially or wholly under section 297A.9905 are exempt, provided  
69.32 that the project has a total construction cost of at least \$40,000,000 within a 24-month  
69.33 period. The tax on purchases exempt under this provision must be imposed and collected

70.1 as if the rate under section 297A.62, subdivision 1, applied and then refunded in the  
70.2 manner provided in section 297A.75.

70.3 **EFFECTIVE DATE.** This section is effective for sales and purchases made after  
70.4 June 30, 2013.

70.5 Sec. 2. Minnesota Statutes 2010, section 297A.75, as amended by Laws 2011, First  
70.6 Special Session chapter 7, article 3, sections 13 to 15, is amended to read:

70.7 **297A.75 REFUND; APPROPRIATION.**

70.8 Subdivision 1. **Tax collected.** The tax on the gross receipts from the sale of the  
70.9 following exempt items must be imposed and collected as if the sale were taxable and the  
70.10 rate under section 297A.62, subdivision 1, applied. The exempt items include:

70.11 (1) capital equipment exempt under section 297A.68, subdivision 5;

70.12 (2) building materials for an agricultural processing facility exempt under section  
70.13 297A.71, subdivision 13;

70.14 (3) building materials for mineral production facilities exempt under section  
70.15 297A.71, subdivision 14;

70.16 (4) building materials for correctional facilities under section 297A.71, subdivision  
70.17 3;

70.18 (5) building materials used in a residence for disabled veterans exempt under section  
70.19 297A.71, subdivision 11;

70.20 (6) elevators and building materials exempt under section 297A.71, subdivision 12;

70.21 (7) building materials for the Long Lake Conservation Center exempt under section  
70.22 297A.71, subdivision 17;

70.23 (8) materials and supplies for qualified low-income housing under section 297A.71,  
70.24 subdivision 23;

70.25 (9) materials, supplies, and equipment for municipal electric utility facilities under  
70.26 section 297A.71, subdivision 35;

70.27 (10) equipment and materials used for the generation, transmission, and distribution  
70.28 of electrical energy and an aerial camera package exempt under section 297A.68,  
70.29 subdivision 37;

70.30 (11) tangible personal property and taxable services and construction materials,  
70.31 supplies, and equipment exempt under section 297A.68, subdivision 41;

70.32 (12) commuter rail vehicle and repair parts under section 297A.70, subdivision  
70.33 3, clause (11);

71.1 (13) materials, supplies, and equipment for construction or improvement of projects  
71.2 and facilities under section 297A.71, subdivision 40;

71.3 (14) materials, supplies, and equipment for construction or improvement of a meat  
71.4 processing facility exempt under section 297A.71, subdivision 41;

71.5 (15) materials, supplies, and equipment for construction, improvement, or expansion  
71.6 of an aerospace defense manufacturing facility exempt under section 297A.71, subdivision  
71.7 42; ~~and~~

71.8 (16) enterprise information technology equipment and computer software for use in  
71.9 a qualified data center exempt under section 297A.68, subdivision 42; and

71.10 (17) materials, supplies, and equipment for qualifying capital projects under section  
71.11 297A.71, subdivision 44.

71.12 Subd. 2. **Refund; eligible persons.** Upon application on forms prescribed by the  
71.13 commissioner, a refund equal to the tax paid on the gross receipts of the exempt items  
71.14 must be paid to the applicant. Only the following persons may apply for the refund:

71.15 (1) for subdivision 1, clauses (1) to (3), the applicant must be the purchaser;

71.16 (2) for subdivision 1, clauses (4) and (7), the applicant must be the governmental  
71.17 subdivision;

71.18 (3) for subdivision 1, clause (5), the applicant must be the recipient of the benefits  
71.19 provided in United States Code, title 38, chapter 21;

71.20 (4) for subdivision 1, clause (6), the applicant must be the owner of the homestead  
71.21 property;

71.22 (5) for subdivision 1, clause (8), the owner of the qualified low-income housing  
71.23 project;

71.24 (6) for subdivision 1, clause (9), the applicant must be a municipal electric utility or  
71.25 a joint venture of municipal electric utilities;

71.26 (7) for subdivision 1, clauses (10), (11), (14), (15), and (16), the owner of the  
71.27 qualifying business; and

71.28 (8) for subdivision 1, clauses (12) ~~and~~, (13), and (17), the applicant must be the  
71.29 governmental entity that owns or contracts for the project or facility.

71.30 Subd. 3. **Application.** (a) The application must include sufficient information  
71.31 to permit the commissioner to verify the tax paid. If the tax was paid by a contractor,  
71.32 subcontractor, or builder, under subdivision 1, clause (4), (5), (6), (7), (8), (9), (10), (11),  
71.33 (12), (13), (14), (15), ~~or~~ (16), or (17), the contractor, subcontractor, or builder must  
71.34 furnish to the refund applicant a statement including the cost of the exempt items and the  
71.35 taxes paid on the items unless otherwise specifically provided by this subdivision. The  
71.36 provisions of sections 289A.40 and 289A.50 apply to refunds under this section.

72.1 (b) An applicant may not file more than two applications per calendar year for  
72.2 refunds for taxes paid on capital equipment exempt under section 297A.68, subdivision 5.

72.3 (c) Total refunds for purchases of items in section 297A.71, subdivision 40, must not  
72.4 exceed \$5,000,000 in fiscal years 2010 and 2011. Applications for refunds for purchases  
72.5 of items in sections 297A.70, subdivision 3, paragraph (a), clause (11), and 297A.71,  
72.6 subdivision 40, must not be filed until after June 30, 2009.

72.7 Subd. 4. **Interest.** Interest must be paid on the refund at the rate in section 270C.405  
72.8 from 90 days after the refund claim is filed with the commissioner for taxes paid under  
72.9 subdivision 1.

72.10 Subd. 5. **Appropriation.** The amount required to make the refunds is annually  
72.11 appropriated to the commissioner.

72.12 **EFFECTIVE DATE.** This section is effective for sales and purchases made after .....

72.13 Sec. 3. **[297A.9905] USE OF LOCAL TAX REVENUES BY CITIES OF THE**  
72.14 **FIRST CLASS.**

72.15 (a) Notwithstanding section 297A.99, or other general or special law or charter  
72.16 provision, if the revenues from any local tax imposed on retail sales under special law  
72.17 by a city of the first class exceeds the amount needed to fund the uses authorized in the  
72.18 special law, the city may expend the excess revenue from the tax to fund other capital  
72.19 projects of regional significance.

72.20 (b) For purposes of this section:

72.21 (1) "city of the first class" has the meaning given in section 410.01; and

72.22 (2) "capital project of regional significance" means construction, expansion, or  
72.23 renovation of a sports facility or convention or civic center, that has a construction cost  
72.24 of at least \$40,000,000.

72.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

72.26 Sec. 4. **USE OF THE STADIUM.**

72.27 Subdivision 1. **Amateur sports use.** The lessee of the stadium must make the  
72.28 facilities of the stadium available to the Minnesota Amateur Sports Commission up to  
72.29 ten days each year on terms satisfactory to the commission for amateur sports activities  
72.30 consistent with Minnesota Statutes, chapter 240A, each year during the time the bonds  
72.31 issued pursuant to this act are outstanding. The commission must negotiate in good faith  
72.32 and may be required to pay no more than actual out-of-pocket expenses for the time  
72.33 it uses the stadium.



73.1 Subd. 2. **High school league.** The lessee of the stadium must make the facilities of  
 73.2 the stadium available for use by the Minnesota State High School League for at least seven  
 73.3 days each year for high school soccer and football tournaments. The lessee of the stadium  
 73.4 must provide, and may not charge the league a fee for, this use, including security, ticket  
 73.5 takers, custodial or cleaning services, or other similar services in connection with this use.

73.6 **ARTICLE 7**

73.7 **STADIUM BLINK ON FUNDING**

73.8 Section 1. **[16A.1524] BACKUP REVENUES; FOOTBALL STADIUM**  
 73.9 **FUNDING.**

73.10 (a) If the commissioner of management and budget determines that the amount of  
 73.11 revenues under section 16A.965, subdivision 8, paragraph (a), for the next fiscal year will  
 73.12 be less than the amounts specified in section 16A.965, subdivision 8, paragraph (b), for  
 73.13 that fiscal year, the commissioner may implement the revenue options authorized in this  
 73.14 article. If the commissioner determines to exercise the authority under this section for  
 73.15 a fiscal year, the commissioner must implement the revenue options, as necessary, in  
 73.16 the following order:

73.17 (1) a tax on luxury boxes as provided under section 473J.14, paragraph (a), clause  
 73.18 (1);

73.19 (2) a sports-themed lottery game under section 349A.20;

73.20 (3) excess revenue from Hennepin County tax as provided under section 473.757,  
 73.21 subdivision 11, paragraph (d); and

73.22 (4) an admissions tax, as provided under section 473J.14, paragraph (a), clause (2).

73.23 (b) Revenue raised under the authority granted by this section must be deposited  
 73.24 in the general fund.

73.25 (c) If the commissioner determines to implement one or more of the revenue options  
 73.26 authorized by this section, each subsequent year the commissioner must determine if  
 73.27 the revenue is needed and will be imposed and collected for the next fiscal year. If the  
 73.28 commissioner determines that one or more revenue options implemented for a fiscal year  
 73.29 are not needed for a subsequent fiscal year, the commissioner must terminate them in the  
 73.30 reverse order they were required to be implemented by paragraph (a) with the last option  
 73.31 implemented terminated first and so forth.

73.32 (d) Before implementing a revenue source authorized under this section, the  
 73.33 commissioner must report the intent to do so to the legislative commission on planning  
 73.34 and fiscal policy. The commissioner must inform the commission of determinations to  
 73.35 continue or discontinue each revenue source for a subsequent fiscal year.

74.1 Sec. 2. [349A.20] STADIUM, SPORTS-THEMED GAME.

74.2 The State Lottery shall conduct a game based on stadium or professional sports  
74.3 themes to generate a minimum of \$2,100,000 in additional revenue for the fiscal year  
74.4 for the general fund.

74.5 **EFFECTIVE DATE.** This section is effective pursuant to the authority granted  
74.6 under section 1, on the day following final enactment.

74.7 Sec. 3. Minnesota Statutes 2011 Supplement, section 473.757, subdivision 11, is  
74.8 amended to read:

74.9 Subd. 11. **Uses of tax.** (a) Revenues received from the tax imposed under  
74.10 subdivision 10 may be used:

74.11 (1) to pay costs of collection;

74.12 (2) to pay or reimburse or secure the payment of any principal of, premium, or  
74.13 interest on bonds issued in accordance with Laws 2006, chapter 257, section 12;

74.14 (3) to pay costs and make expenditures and grants described in this section, including  
74.15 financing costs related to them;

74.16 (4) to maintain reserves for the foregoing purposes deemed reasonable and  
74.17 appropriate by the county;

74.18 (5) to pay for operating costs of the ballpark authority other than the cost of  
74.19 operating or maintaining the ballpark; and

74.20 (6) to make expenditures and grants for youth activities and amateur sports and  
74.21 extension of library hours as described in subdivision 2;  
74.22 and for no other purpose.

74.23 (b) Revenues from the tax designated for use under paragraph (a), clause (5), must  
74.24 be deposited in the operating fund of the ballpark authority.

74.25 (c) After completion of the ballpark and public infrastructure, the tax revenues not  
74.26 required for current payments of the expenditures described in paragraph (a), clauses (1) to  
74.27 (6), shall be used to (i) redeem or defease the bonds and (ii) prepay or establish a fund for  
74.28 payment of future obligations under grants or other commitments for future expenditures  
74.29 which are permitted by this section. Upon the redemption or defeasance of the bonds and  
74.30 the establishment of reserves adequate to meet such future obligations, the taxes shall  
74.31 terminate and shall not be reimposed. For purposes of this subdivision, "reserves adequate  
74.32 to meet such future obligations" means a reserve that does not exceed the net present value  
74.33 of the county's obligation to make grants under paragraph (a), clauses (5) and (6), and to  
74.34 fund the reserve for capital improvements required under section 473.759, subdivision 3,  
74.35 for the 30-year period beginning on the date of the original issuance of the bonds, less

75.1 those obligations that the county has already paid. Each fiscal year revenues available  
75.2 for use under this paragraph must be accumulated and may not be expended under this  
75.3 paragraph until 15 days after the close of the county's fiscal year, provided that the county  
75.4 has not received a notice under paragraph (d).

75.5 (d) Notwithstanding the authority to use revenues under paragraph (c), upon  
75.6 notification by the commissioner of management and budget under section 16A.1524 for a  
75.7 state fiscal year, the county must pay any revenues that would be available under paragraph  
75.8 (c) to the commissioner for that state fiscal year as provided under section 16A.1524.

75.9 **EFFECTIVE DATE.** This section is effective the day following final enactment  
75.10 without local approval by Hennepin County under the Minnesota Statutes, section  
75.11 645.023, subdivision 1, paragraph (c).

75.12 **Sec. 4. [473J.14] ADMISSIONS TAX.**

75.13 (a) Upon notification by the commissioner of management and budget under section  
75.14 16A.1524, the commission shall by resolution impose and maintain a ten percent tax  
75.15 on either or both of:

75.16 (1) the gross receipts received for the rental of box seats, suites, sky boxes, and  
75.17 similar in the NFL stadium; or

75.18 (2) the granting, issuance, sale, or distribution, by any private or public person,  
75.19 association, or corporation, of the privilege of admission to professional sporting events  
75.20 at the NFL stadium.

75.21 (b) Each tax must be imposed in the years specified by the commissioner of  
75.22 management and budget. The suites rental tax under paragraph (a), clause (1), applies to  
75.23 the gross receipts, as defined under section 297A.61, received by the seller, as defined  
75.24 in section 297A.61, and is a debt owned by the seller to the commission. The admission  
75.25 tax under paragraph (a), clause (2), must be stated and charged separately from the sales  
75.26 price so far as practicable and the grantor, seller, or distributor must collect the tax from  
75.27 the person admitted and the tax is a debt from that person to the grantor, issuer, seller, or  
75.28 distributor, and the tax required to be collected is a debt owed by the grantor, issuer, seller,  
75.29 or distributor to the commission. Any tax imposed under this section is recoverable at  
75.30 law by the commission from the grantor, issuer, seller, or distributor in the same manner  
75.31 as other debts. Every person granting, issuing, selling, or distributing tickets for taxable  
75.32 admissions or renting boxes, suites or similar may be required, as provided in resolutions  
75.33 of the commission, to secure a permit, to file returns, to deposit security for the payment  
75.34 of the tax, and to pay the penalties for nonpayment and interest on late payments, as the

76.1 commission deems necessary or expedient to assure the prompt and uniform collection of  
76.2 either or both of the taxes.

76.3 (c) The commission shall remit the proceeds of any taxes imposed under this section  
76.4 to the commissioner of management and budget for deposit in the state's general fund.

76.5 (d) Notwithstanding any other provisions of this section, the imposition of an  
76.6 admission tax upon a national superbowl football game conducted at the NFL stadium is  
76.7 discretionary with the commission.

## 76.8 ARTICLE 8

### 76.9 GAMBLING TAX CHANGES

76.10 Section 1. Minnesota Statutes 2010, section 297E.01, subdivision 7, is amended to read:

76.11 Subd. 7. **Gambling product.** "Gambling product" means bingo hard cards, bingo  
76.12 paper sheets, ~~or~~ linked bingo paper sheets, or electronic linked bingo games; pull-tabs;  
76.13 electronic pull-tab games; tipboards; paddle tickets and paddle ticket cards; raffle tickets;  
76.14 or any other ticket, card, board, placard, device, or token that represents a chance, for  
76.15 which consideration is paid, to win a prize.

76.16 **EFFECTIVE DATE.** This section is effective for July 1, 2012.

76.17 Sec. 2. Minnesota Statutes 2010, section 297E.01, subdivision 8, is amended to read:

76.18 Subd. 8. **Gross receipts.** "Gross receipts" means all receipts derived from lawful  
76.19 gambling activity including, but not limited to, the following items:

76.20 (1) gross sales of bingo hard cards ~~and~~, paper sheets, linked bingo paper sheets, and  
76.21 electronic linked bingo games before reduction for prizes, expenses, shortages, free plays,  
76.22 or any other charges or offsets;

76.23 (2) the ideal gross of pull-tab, electronic pull-tab games, and tipboard deals or games  
76.24 less the value of unsold and defective tickets and before reduction for prizes, expenses,  
76.25 shortages, free plays, or any other charges or offsets;

76.26 (3) gross sales of raffle tickets and paddle tickets before reduction for prizes,  
76.27 expenses, shortages, free plays, or any other charges or offsets;

76.28 (4) admission, commission, cover, or other charges imposed on participants in  
76.29 lawful gambling activity as a condition for or cost of participation; and

76.30 (5) interest, dividends, annuities, profit from transactions, or other income derived  
76.31 from the accumulation or use of gambling proceeds.

76.32 Gross receipts does not include proceeds from rental under section 349.18,  
76.33 subdivision 3.

77.1 **EFFECTIVE DATE.** This section is effective for July 1, 2012.

77.2 Sec. 3. Minnesota Statutes 2010, section 297E.01, subdivision 9, is amended to read:

77.3 Subd. 9. **Ideal gross.** "Ideal gross" means the total amount of receipts that would be  
77.4 received if every individual ticket in the pull-tab, electronic pull-tab games or tipboard  
77.5 deal, paddlewheel game, and raffle ticket was sold at its face value. In the calculation of  
77.6 ideal gross and prizes, a free play ticket pull-tab or electronic pull-tab shall be valued at  
77.7 face value. "Ideal gross" also means the total amount of receipts that would be received  
77.8 if every bingo paper sheet, linked bingo paper sheet, and electronic linked bingo games  
77.9 were sold at face value.

77.10 **EFFECTIVE DATE.** This section is effective for July 1, 2012.

77.11 Sec. 4. Minnesota Statutes 2010, section 297E.02, subdivision 1, is amended to read:

77.12 Subdivision 1. **Imposition.** A tax is imposed on all lawful gambling other than (1)  
77.13 paper or electronic pull-tab deals or games; (2) tipboard deals or games; and (3) electronic  
77.14 linked bingo; and (4) items listed in section 297E.01, subdivision 8, clauses (4) and (5), at  
77.15 the rate of 8.5 percent on the gross receipts as defined in section 297E.01, subdivision 8,  
77.16 less prizes actually paid. The tax imposed by this subdivision is in lieu of the tax imposed  
77.17 by section 297A.62 and all local taxes and license fees except a fee authorized under  
77.18 section 349.16, subdivision 8, or a tax authorized under subdivision 5.

77.19 The tax imposed under this subdivision is payable by the organization or party  
77.20 conducting, directly or indirectly, the gambling.

77.21 **EFFECTIVE DATE.** This section is effective for games reported as played after  
77.22 June 30, 2012.

77.23 Sec. 5. Minnesota Statutes 2010, section 297E.02, subdivision 3, is amended to read:

77.24 Subd. 3. **Collection; disposition.** (a) Taxes imposed by this section other than in  
77.25 subdivision 4 are due and payable to the commissioner when the gambling tax return  
77.26 is required to be filed. ~~Taxes imposed by subdivision 4 are due and payable to the~~  
77.27 ~~commissioner on or before the last business day of the month following the month in~~  
77.28 ~~which the taxable sale was made.~~ Distributors must file their monthly sales figures with  
77.29 the commissioner on a form prescribed by the commissioner. Returns covering the taxes  
77.30 imposed under this section must be filed with the commissioner on or before the 20th day  
77.31 of the month following the close of the previous calendar month. The commissioner  
77.32 may require that the returns be filed via magnetic media or electronic data transfer. The

78.1 proceeds, along with the revenue received from all license fees and other fees under  
 78.2 sections 349.11 to 349.191, 349.211, and 349.213, must be paid to the commissioner of  
 78.3 management and budget for deposit in the general fund.

78.4 (b) The sales tax imposed by chapter 297A on the sale of the pull-tabs and tipboards  
 78.5 by the distributor is imposed on the retail sales price. The retail sale of pull-tabs or  
 78.6 tipboards by the organization is exempt from taxes imposed by chapter 297A and is  
 78.7 exempt from all local taxes and license fees except a fee authorized under section 349.16,  
 78.8 subdivision 8.

78.9 **EFFECTIVE DATE.** This section is effective for July 1, 2012.

78.10 Sec. 6. Minnesota Statutes 2010, section 297E.02, subdivision 6, is amended to read:

78.11 Subd. 6. **Combined net receipts tax.** In addition to the taxes imposed under  
 78.12 subdivisions 1 and 4, a tax is imposed on the combined receipts of the organization. As  
 78.13 used in this section, "combined net receipts" is the sum of the organization's gross receipts  
 78.14 from lawful gambling less gross receipts directly derived from the conduct of bingo,  
 78.15 raffles, and paddle wheels, as defined in section 297E.01, subdivision 8, and less the  
 78.16 net prizes actually paid, other than prizes actually paid for bingo, raffles, and paddle  
 78.17 wheels, for the fiscal year. The combined net receipts of an organization are subject to a  
 78.18 tax computed according to the following schedule:

78.19	If the combined <u>net</u>	The tax is:
78.20	receipts for the fiscal year	
78.21	are:	
78.22	Not over <del>\$500,000</del> <u>\$87,500</u>	<del>zero</del> <u>6.89 percent</u>
78.23	Over <del>\$500,000</del> <u>\$87,500,</u>	
78.24	but not over <del>\$700,000</del>	<del>1.7</del> <u>\$6,029</u> plus 13.78 percent of the
78.25	<u>\$122,500</u>	amount over <del>\$500,000</del> <u>\$87,500,</u> but
78.26		not over <del>\$700,000</del> <u>\$122,500</u>
78.27	Over <del>\$700,000</del> <u>\$122,500,</u>	
78.28	but not over <del>\$900,000</del>	<del>\$3,400</del> <u>\$10,852</u> plus <del>3.4</del> <u>20.67</u>
78.29	<u>\$157,500</u>	percent of the amount over <del>\$700,000</del>
78.30		<u>\$122,500,</u> but not over <del>\$900,000</del>
78.31		<u>\$157,500</u>
78.32	Over <del>\$900,000</del> <u>\$157,500</u>	<del>\$10,200</del> <u>\$18,086</u> plus <del>5.1</del> <u>27.56</u>
78.33		percent of the amount over <del>\$900,000</del>
78.34		<u>\$157,500</u>

78.35 **EFFECTIVE DATE.** This section is effective July 1, 2012.

78.36 Sec. 7. Minnesota Statutes 2010, section 297E.02, is amended by adding a subdivision  
 78.37 to read:

79.1            Subd. 6a. **Unaccounted games.** If a licensed distributor cannot account for a  
 79.2 pull-tab game, an electronic pull-tab game, a tipboard deal, paddletickets, an electronic  
 79.3 linked bingo game, bingo paper sheets, or linked bingo paper sheets, the distributor must  
 79.4 report the sheets or games as lost to the commissioner and remit a tax of six percent  
 79.5 on the ideal gross of the sheets or games.

79.6            **EFFECTIVE DATE.** This section is effective for July 1, 2012.

79.7            Sec. 8. Minnesota Statutes 2010, section 297E.02, subdivision 7, is amended to read:

79.8            Subd. 7. **Untaxed gambling product.** (a) In addition to penalties or criminal  
 79.9 sanctions imposed by this chapter, a person, organization, or business entity possessing or  
 79.10 selling a pull-tab, electronic pull-tab game or tipboard upon which the tax imposed by  
 79.11 ~~subdivision 4~~ this chapter has not been paid is liable for a tax of six percent of the ideal  
 79.12 gross of each pull-tab, electronic pull-tab game, or tipboard. The tax on a partial deal  
 79.13 must be assessed as if it were a full deal.

79.14            (b) In addition to penalties and criminal sanctions imposed by this chapter, a person  
 79.15 not licensed by the board who conducts bingo, linked bingo, electronic linked bingo,  
 79.16 raffles, or paddle wheel games is liable for a tax of six percent of the gross receipts  
 79.17 from that activity.

79.18            (c) The tax must be assessed by the commissioner. An assessment must be  
 79.19 considered a jeopardy assessment or jeopardy collection as provided in section 270C.36.  
 79.20 The commissioner shall assess the tax based on personal knowledge or information  
 79.21 available to the commissioner. The commissioner shall mail to the taxpayer at the  
 79.22 taxpayer's last known address, or serve in person, a written notice of the amount of tax,  
 79.23 demand its immediate payment, and, if payment is not immediately made, collect the tax  
 79.24 by any method described in chapter 270C, except that the commissioner need not await the  
 79.25 expiration of the times specified in chapter 270C. The tax assessed by the commissioner  
 79.26 is presumed to be valid and correctly determined and assessed. The burden is upon the  
 79.27 taxpayer to show its incorrectness or invalidity. The tax imposed under this subdivision  
 79.28 does not apply to gambling that is exempt from taxation under subdivision 2.

79.29            **EFFECTIVE DATE.** This section is effective for July 1, 2012.

79.30            Sec. 9. Minnesota Statutes 2010, section 297E.02, subdivision 10, is amended to read:

79.31            Subd. 10. **Refunds; appropriation.** A person who has, under this chapter, paid  
 79.32 to the commissioner an amount of tax for a period in excess of the amount legally due  
 79.33 for that period, may file with the commissioner a claim for a refund of the excess. The

80.1 amount necessary to pay the refunds under this subdivision ~~and subdivision 4, paragraph~~  
 80.2 ~~(d)~~, is appropriated from the general fund to the commissioner.

80.3 **EFFECTIVE DATE.** This section is effective for July 1, 2012.

80.4 Sec. 10. Minnesota Statutes 2010, section 297E.02, subdivision 11, is amended to read:

80.5 Subd. 11. ~~Unplayed or Defective pull-tabs or tipboards gambling products. If a~~  
 80.6 ~~deal of pull-tabs or tipboards registered with the board or bar coded in accordance with this~~  
 80.7 ~~chapter and chapter 349 and upon which the tax imposed by subdivision 4 has been paid is~~  
 80.8 ~~returned unplayed to the distributor, the commissioner shall allow a refund of the tax paid.~~

80.9 If a defective deal registered with the board or bar coded in accordance with this  
 80.10 chapter and chapter 349 ~~and upon which the taxes have been paid~~ is returned to the  
 80.11 manufacturer, the distributor shall submit to the commissioner of revenue certification  
 80.12 from the manufacturer that the deal was returned and in what respect it was defective.  
 80.13 The certification must be on a form prescribed by the commissioner and must contain  
 80.14 additional information the commissioner requires.

80.15 The commissioner may require ~~that no refund~~ under this subdivision ~~be made~~  
 80.16 ~~unless the~~ that all defective and returned pull-tabs or tipboards have been, paddle tickets,  
 80.17 paper bingo sheets, and linked bingo paper sheets be set aside for inspection by the  
 80.18 commissioner's employee.

80.19 Reductions in previously paid taxes authorized by this subdivision must be made  
 80.20 when and in the manner prescribed by the commissioner.

80.21 **EFFECTIVE DATE.** This section is effective for July 1, 2012.

80.22 Sec. 11. Minnesota Statutes 2010, section 297E.02, is amended by adding a subdivision  
 80.23 to read:

80.24 Subd. 12. **Rebate.** Each fiscal year in which an amount is available under section  
 80.25 16A.695, subdivision 8, paragraph (d), for the payment of rebates, the commissioner shall  
 80.26 make a rebate payment to each organization or distributor under this chapter in proportion  
 80.27 to its liability for tax for the preceding year, except no rebate must be paid to an entity  
 80.28 if its entitlement is less than \$25. The commissioner shall pay the rebate by August 15  
 80.29 following the close of the fiscal year.

80.30 Sec. 12. Minnesota Statutes 2010, section 297E.13, subdivision 5, is amended to read:

80.31 Subd. 5. **Untaxed gambling equipment.** It is a gross misdemeanor for a person to  
 80.32 possess gambling equipment for resale in this state that has not been stamped or bar-coded



81.1 in accordance with this chapter and chapter 349 and upon which the taxes imposed by  
81.2 chapter 297A or section 297E.02, ~~subdivision 4~~, have not been paid. The director of  
81.3 alcohol and gambling enforcement or the commissioner or the designated inspectors  
81.4 and employees of the director or commissioner may seize in the name of the state of  
81.5 Minnesota any unregistered or untaxed gambling equipment.

81.6 **EFFECTIVE DATE.** This section is effective for actions occurring after June  
81.7 30, 2012.

81.8 Sec. 13. **REPEALER.**

81.9 Minnesota Statutes 2010, section 297E.02, subdivision 4, is repealed.

81.10 **EFFECTIVE DATE.** This section is effective for games sold after June 30, 2012."

81.11 Amend the title accordingly